

SA 4106. Mr. LEVIN (for Mr. KERRY (for himself, Mr. BOND, and Mrs. CARNAHAN)) proposed an amendment to the bill S. 2514, *supra*.

SA 4107. Mr. ALLARD (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, *supra*.

SA 4108. Mr. LEVIN (for Mr. CLELAND (for himself, Mr. HUTCHINSON, and Mr. KENNEDY)) proposed an amendment to the bill S. 2514, *supra*.

SA 4109. Mr. ALLARD (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, *supra*.

SA 4110. Mr. LEVIN (for Mr. REID) proposed an amendment to the bill S. 2514, *supra*.

SA 4111. Mr. ALLARD (for Mr. LOTT) proposed an amendment to the bill S. 2514, *supra*.

SA 4112. Mr. LOTT submitted an amendment intended to be proposed by him to the bill S. 2514, *supra*; which was ordered to lie on the table.

SA 4113. Mr. REID (for Mr. LEAHY (for himself and Mr. HATCH)) proposed an amendment to the bill H.R. 2047, to authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes.

SA 4114. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4002 submitted by Ms. LANDRIEU and intended to be proposed to the bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4115. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill H.R. 2047, to authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes.

SA 4116. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4117. Mr. REID (for Mr. KENNEDY) proposed an amendment to the bill S. 2514, *supra*.

SA 4118. Mr. WARNER proposed an amendment to the bill S. 2514, *supra*.

SA 4119. Mr. REID (for Mr. CLELAND) proposed an amendment to the bill S. 2514, *supra*.

SA 4120. Mr. WARNER (for Ms. SNOWE (for himself and Ms. COLLINS)) proposed an amendment to the bill S. 2514, *supra*.

SA 4121. Mr. REID (for Mr. WYDEN (for himself and Mr. SMITH, of Oregon)) proposed an amendment to the bill S. 2514, *supra*.

SA 4122. Mr. WARNER (for Mr. COCHRAN (for himself and Mr. LOTT)) proposed an amendment to the bill S. 2514, *supra*.

SA 4123. Mr. REID (for Mr. BIDEN (for himself and Mr. CARPER)) proposed an amendment to the bill S. 2514, *supra*.

SA 4124. Mr. WARNER (for Mr. DOMENICI (for himself and Mr. BINGAMAN)) proposed an amendment to the bill S. 2514, *supra*.

SA 4125. Mr. REID (for Mr. DURBIN) proposed an amendment to the bill S. 2514, *supra*.

SA 4126. Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill S. 2514, *supra*.

SA 4127. Mr. WARNER (for Mr. FRIST (for himself and Mr. THOMPSON)) proposed an amendment to the bill S. 2514, *supra*.

SA 4128. Mr. WARNER (for Mr. DEWINE) proposed an amendment to the bill S. 2514, *supra*.

SA 4129. Mr. REID (for Mr. CLELAND) proposed an amendment to the bill S. 2514, *supra*.

SA 4130. Mr. WARNER (for Mr. COCHRAN (for himself and Mr. LOTT)) proposed an amendment to the bill S. 2514, *supra*.

SA 4131. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2514, *supra*.

SA 4132. Mr. WARNER (for Mr. DOMENICI) proposed an amendment to the bill S. 2514, *supra*.

SA 4133. Mr. REID (for Mr. CONRAD) proposed an amendment to the bill S. 2514, *supra*.

SA 4134. Mr. WARNER (for Ms. COLLINS) proposed an amendment to the bill S. 2514, *supra*.

SA 4135. Mr. REID (for Mrs. FEINSTEIN (for himself and Mr. STEVENS)) proposed an amendment to the bill S. 2514, *supra*.

SA 4136. Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, *supra*.

SA 4137. Mr. REID (for Mr. CLELAND (for himself and Mr. HUTCHINSON)) proposed an amendment to the bill S. 2514, *supra*.

SA 4138. Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 2514, *supra*.

SA 4139. Mr. REID (for Mr. LEVIN) proposed an amendment to the bill S. 2514, *supra*.

SA 4140. Mr. WARNER proposed an amendment to the bill S. 2514, *supra*.

SA 4141. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2514, *supra*.

SA 4142. Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 2514, *supra*.

SA 4143. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2514, *supra*.

SA 4144. Mr. WARNER (for Mr. BUNNING) proposed an amendment to the bill S. 2514, *supra*.

SA 4145. Mr. REID (for Mr. BINGAMAN (for himself and Mr. SANTORUM)) proposed an amendment to the bill S. 2514, *supra*.

SA 4146. Mr. WARNER (for Mr. INHOFE (for himself and Mr. AKAKA)) proposed an amendment to the bill S. 2514, *supra*.

SA 4147. Mr. REID (for Mr. REED) proposed an amendment to the bill S. 2514, *supra*.

SA 4148. Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, *supra*.

SA 4149. Mr. REID (for Mr. CLELAND) proposed an amendment to the bill S. 2514, *supra*.

SA 4150. Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill S. 2514, *supra*.

SA 4151. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the bill S. 2514, *supra*.

SA 4152. Mr. WARNER (for Mr. MCCAIN) proposed an amendment to the bill S. 2514, *supra*.

SA 4153. Mr. REID (for Mr. BINGAMAN (for himself and Mr. DOMENICI)) proposed an amendment to the bill S. 2514, *supra*.

SA 4154. Mr. WARNER (for Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mrs. CLINTON, Mr. CORZINE, Mr. SCHUMER, Mr. DODD, Mr. TORRICELLI, Mr. CLELAND, Ms. MIKULSKI, and Mr. SARBANES)) proposed an amendment to the bill S. 2514, *supra*.

SA 4155. Mr. REID (for Mr. CORZINE (for himself and Mr. TORRICELLI)) proposed an amendment to the bill S. 2514, *supra*.

SA 4156. Mr. WARNER (for Mr. COCHRAN (for himself and Mr. LOTT)) proposed an amendment to the bill S. 2514, *supra*.

SA 4157. Mr. REID (for Mr. KERRY (for himself and Mr. FRIST)) proposed an amendment to the bill S. 2514, *supra*.

SA 4158. Mr. WARNER (for Mr. DOMENICI (for himself and Mr. BINGAMAN)) proposed an amendment to the bill S. 2514, *supra*.

SA 4159. Mr. WARNER proposed an amendment to the bill S. 2514, *supra*.

SA 4160. Mr. REID (for Mr. BYRD) proposed an amendment to the bill S. 2514, *supra*.

SA 4161. Mr. WARNER (for Mr. THOMPSON) proposed an amendment to the bill S. 2514, *supra*.

SA 4162. Mr. WARNER (for Mr. HATCH (for himself, Mrs. FEINSTEIN, and Mr. SANTORUM)) proposed an amendment to the bill S. 2514, *supra*.

SA 4163. Mr. REID (for Mr. SARBANES) proposed an amendment to the bill S. 2514, *supra*.

SA 4164. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 4068 submitted by Mr. HUTCHINSON and intended to be proposed to the bill (S. 2514) *supra*; which was ordered to lie on the table.

SA 4165. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 4068 submitted by Mr. HUTCHINSON and intended to be proposed to the bill (S. 2514) *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3990. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In 201(4), strike "\$17,542,927,000" and insert "\$17,532,927,000".

In section 2601(3)(A), strike "\$204,059,000" and insert "\$214,059,000".

SA 3991. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 828. AUTHORITY FOR NONPROFIT ORGANIZATIONS TO SELF-CERTIFY ELIGIBILITY FOR TREATMENT AS QUALIFIED ORGANIZATIONS EMPLOYING SEVERELY DISABLED UNDER MENTOR-PROTEGE PROGRAM.

Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amended by adding at the end the following new subsection:

"(n) SELF-CERTIFICATION OF NONPROFIT ORGANIZATIONS AS QUALIFIED ORGANIZATIONS EMPLOYING THE SEVERELY DISABLED.—(1) The Secretary of Defense may, in accordance with such requirements as the Secretary may establish, permit a business entity operating on a non-profit basis to self-certify its eligibility for treatment as a qualified organization employing the severely disabled under subsection (m)(2)(D).

"(2) The Secretary shall treat any entity described in paragraph (1) that submits a

self-certification under that paragraph as a qualified organization employing the severely disabled until the Secretary receives evidence, if any, that such entity is not described by paragraph (1) or does not merit treatment as a qualified organization employing the severely disabled in accordance with applicable provisions of subsection (m).

“(3) Paragraphs (1) and (2) shall cease to be effective on the effective date of regulations prescribed by the Small Business Administration under this section setting forth a process for the certification of business entities as eligible for treatment as a qualified organization employing the severely disabled under subsection (m)(2)(D).”.

SA 3992. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1065. DESIGNATION OF MEDAL OF HONOR FLAG.

(a) FINDINGS.—Congress finds that—

(1) the Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Forces of the United States;

(2) the Medal of Honor was established by Congress during the Civil War to recognize soldiers who had distinguished themselves by gallantry in action;

(3) the Medal of Honor was conceived by Senator James Grimes of the State of Iowa in 1861; and

(4) the Medal of Honor is the Nation's highest military honor, awarded for acts of personal bravery or self-sacrifice above and beyond the call of duty.

(b) DESIGNATION OF MEDAL OF HONOR FLAG.—(1) Chapter 9 of title 36, United States Code, is amended by adding at the end the following new section:

“§ 903. Designation of Medal of Honor Flag

“(a) DESIGNATION.—The Secretary of Defense shall design and designate a flag as the Medal of Honor Flag. In selecting the design for the flag, the Secretary shall consider designs submitted by the general public.

“(b) PRESENTATION.—The Medal of Honor Flag shall be presented as specified in sections 3755, 6257, and 8755 of title 10 and section 505 of title 14.”.

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

“903. Designation of Medal of Honor Flag.”.

(c) PRESENTATION OF FLAG TO MEDAL OF HONOR RECIPIENTS.—(1)(A) Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 3755. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 3741 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same time as the presentation of the medal under section 3741 or 3752(a) of this title.”.

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

“3755. Medal of honor: presentation of Medal of Honor Flag.”.

(2)(A) Chapter 567 of such title is amended by adding at the end the following new section:

“§ 6257. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 6241 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same time as the presentation of the medal under section 6241 or 6250 of this title.”.

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

“6257. Medal of honor: presentation of Medal of Honor Flag.”.

(3)(A) Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8755. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 8741 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same time as the presentation of the medal under section 8741 or 8752(a) of this title.”.

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

“8755. Medal of honor: presentation of Medal of Honor Flag.”.

(4)(A) Chapter 13 of title 14, United States Code, is amended by inserting after section 504 the following new section:

“§ 505. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 491 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same time as the presentation of the medal under section 491 or 498 of this title.”.

(B) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 504 the following new item:

“505. Medal of honor: presentation of Medal of Honor Flag.”.

(d) PRIOR RECIPIENTS.—The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36, United States Code, as added by subsection (b), to each person awarded the Medal of Honor before the date of enactment of this Act who is living as of that date. Such presentation shall be made as expeditiously as possible after the date of the designation of the Medal of Honor Flag by the Secretary of Defense under such section.

SA 3993. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 655. ELIGIBILITY FOR COMPENSATION FROM SEPTEMBER 11TH VICTIM COMPENSATION FUND OF MEMBERS OF ARMED FORCES AND OTHER OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT WHO SUFFER PHYSICAL HARM OR DEATH AS A RESULT OF OPERATIONS AGAINST TERRORISM.

(a) PURPOSE.—Section 403 of the September 11th Victim Compensation Fund of 2001 (title IV of Public Law 107-42; 115 Stat. 237; 49 U.S.C. 40101 note) is amended to read as follows:

“SEC. 403. PURPOSE.

“It is the purpose of this title to provide compensation to the following:

“(1) Any individual (or relatives of a deceased individual) who was physically injured or killed as a result of the terrorist-related aircraft crashes of September 11, 2001.

“(2) Any member of the United States Armed Forces (or relatives of a deceased member of the Armed Forces) who was physically injured or killed as a result of an offensive or defensive military operation relating to the Authorization for Use of Military Force (Public Law 107-40; 115 Stat. 224) after September 11, 2001.

“(3) Any other member, officer, employee, or contract employee of the United States Government (or relatives of a deceased member, officer, employee, or contract employee of the United States Government) who was physically injured or killed as a result of an offensive or defensive military operation relating to the Authorization for Use of Military Force after September 11, 2001.”.

(b) CONTENTS OF CLAIMS.—Subsection (a)(2)(B) of section 405 of that Act (115 Stat. 238; 49 U.S.C. 40101 note) is amended to read as follows:

“(B) CONTENTS.—The form developed under subparagraph (A) shall request—

“(i) in the case of a claimant seeking to establish eligibility for compensation for or on behalf of an individual described in subparagraph (A) or (B) of subsection (c)(2)—

“(I) information from the claimant concerning the physical harm that the claimant suffered, or in the case of a claim filed on behalf of a decedent information confirming the decedent's death, as a result of the terrorist-related aircraft crashes of September 11, 2001;

“(II) information from the claimant concerning any possible economic and non-economic losses that the claimant suffered as a result of such crashes; and

“(III) information regarding collateral sources of compensation the claimant has received or is entitled to receive as a result of such crashes; or

“(ii) in the case of a claimant seeking to establish eligibility for compensation for or on behalf of an individual described in subparagraph (C) of subsection (c)(2)—

“(I) information from the claimant concerning the physical harm that the claimant suffered, or in the case of a claim filed on behalf of a decedent, information confirming the decedent's death, as a result of an offensive or defensive military operation relating to the Authorization for Use of Military Force (Public Law 107-40; 115 Stat. 224) after September 11, 2001;

“(II) information from the claimant concerning any possible economic and non-economic losses that the claimant suffered as a result of such operations; and

“(III) information regarding collateral sources of compensation the claimant has received or is entitled to receive as a result of such operations.”.

(c) ELIGIBILITY.—Subsection (c)(2) of such section 405 (115 Stat. 239; 49 U.S.C. 40101 note) is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) by redesignating subparagraph (C) as subparagraph (D);

(3) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) an individual who is a member of the United States Armed Forces, or a member, officer, employee, or contract employee of the United States Government, who suffered physical harm or death as a result of an offensive or defensive military operation relating to the Authorization for Use of Military Force after September 11, 2001; or”; and

(4) in subparagraph (D), as so amended, by striking “subparagraph (A) or (B)” and inserting “subparagraph (A), (B), or (C)”.

(d) REGULATIONS.—(1) Not later than 90 days after the date of the enactment of this Act, the Attorney General shall prescribe regulations to take into account the amendments to the September 11th Victim Compensation Fund of 2001 made by this section.

(2) The Attorney General shall prescribe regulations under this subsection in consultation with the Secretary of Defense and the Special Master appointed under section 404(a) of the September 11th Victim Compensation Fund of 2001 (115 Stat. 237; 49 U.S.C. 40101 note).

SA 3994. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 209, line 5, strike “March 1” and insert “March 2”.

SA 3995. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 206, line 23, strike “March 15, 2003” and insert “March 16, 2003”.

SA 3996. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, line 12, strike “90 days” and insert “91 days”.

SA 3997. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military con-

struction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, line 24, strike “September 1, 2003” and insert “September 2, 2003”.

SA 3998. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, line 12, strike “January 1, 2003” and insert “January 2, 2003”.

SA 3999. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, line 16, strike “March 15, 2003” and insert “March 16, 2003”.

SA 4000. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 8, strike “March 30, 2003” and insert “March 31, 2003”.

SA 4001. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, line 16, strike “March 15, 2003” and insert “March 16, 2003”.

SA 4002. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other

purposes; which was ordered to lie on the table; as follows:

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

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

Not later than December 31, 2002, the Secretary of the 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.

SA 4003. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 146, between lines 2 and 3, insert the following:

SEC. 644. EQUITABLE AMOUNT OF SURVIVOR ANNUITIES FOR CERTAIN MILITARY SURVIVING SPOUSES.

(a) FORMULA.—Subsection (b) of section 644 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 10 U.S.C. 1448 note) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) An annuity payable under this section for the surviving spouse of a deceased member shall be equal to the higher of \$186 per month, as adjusted from time to time under paragraph (3), or the applicable amount as follows:

“(A) In the case of the surviving spouse of a deceased member described in subparagraph (A) of subsection (a)(1) who died before September 21, 1972, the amount computed under the SBP program, from the day after the date of death, as if—

“(i) the SBP program had become effective on the day before the date of the death of the deceased member; and

“(ii) the member had effectively elected to provide the maximum survivor annuity for the surviving spouse under the SBP program.

“(B) In the case of the surviving spouse of a deceased member described in subparagraph (A) of subsection (a)(1) who died after September 20, 1972, the amount computed under the SBP program, from the day after the date of death, as if the member had effectively elected to provide the maximum survivor annuity for the surviving spouse under that program.

“(C) In the case of the surviving spouse of a deceased member described in subparagraph (B) of subsection (a)(1) who died before October 1, 1978, the amount computed under the SBP program, from the day after the date of death, as if—

“(i) the SBP program, as in effect on October 1, 1978, had become effective on the day before the date of the death of the deceased member;

“(ii) the member had been 60 years of age on that day; and

“(iii) the member had effectively elected to provide the maximum survivor annuity for the surviving spouse under the SBP program.”; and

(2) in paragraph (3), by inserting after “the annuity that is payable under this section”

the following: "in the amount under paragraph (1) that is adjustable under this paragraph".

(b) SBP PROGRAM DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(3) The term 'SBP program' means subchapter II of chapter 73 of title 10, United States Code."

(c) EFFECTIVE DATE AND APPLICABILITY.—(1) The amendments made by subsections (a) and (b) shall take effect on October 1, 2002.

(2) The Secretary concerned shall recompute under section 644 of Public Law 105-85 (as amended by subsections (a) and (b)) the amounts of the survivor annuities that are payable under such section for months beginning after the effective date under paragraph (1).

(3) No benefit shall be payable for any period before the effective date under paragraph (1) by reason of the amendments made by subsections (a) and (b).

SA 4004. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2829. LAND CONVEYANCE, FORT ORD, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the City of Seaside, California (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 105 acres at former Fort Ord, California, and known as lower Hayes Housing.

(b) CONSIDERATION.—(1) As consideration for the conveyance authorized by subsection (a) the City shall convey to the United States all right, title, and interest of the City in and to a parcel of real property, including any improvements thereon, consisting of approximately 102 acres at former Fort Ord and known as Stilwell Kidney.

(2) All payments or charges owed the United States by the City for the lower Hayes Housing pursuant to the agreement between the Army and the City shall be deemed satisfied by the conveyance under paragraph (1).

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

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

SA 4005. Mr. MILLER submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year

for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 121. MARINE CORPS LIVE FIRE RANGE IMPROVEMENTS.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 102(b) for procurement for the Marine Corps is hereby increased by \$1,900,000, with the amount of the increase to be allocated to Training Devices.

(b) AVAILABILITY.—(1) Of the amount authorized to be appropriated by section 102(b) for procurement for the Marine Corps, as increased by subsection (a), \$1,900,000 shall be available as follows:

(A) For upgrading live fire range target movers.

(B) To bring live fire range radio controls into compliance with Federal Communications Commission narrow band requirements.

(2) Amounts available under paragraph (1) for the purposes set forth in that paragraph are in addition to any other amounts available in this Act for such purposes.

SA 4006. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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).

SA 4007. Mr. WARNER (for himself, Mr. MILLER, Mr. LOTT, Mr. STEVENS, Mr. COCHRAN, Mr. ALLARD, Mr. KYL, Mr. SMITH of New Hampshire, Mr.

INHOFE, Mr. THURMOND, Mr. SESSIONS, Mr. ROBERTS, Mr. HUTCHINSON, Mr. BUNNING, Mr. HELMS, Mr. MCCAIN, Mr. NICKLES, Mr. HAGEL, and Mrs. HUTCHISON) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 217, between lines 13 and 14, insert the following:

SEC. 1010. ADDITIONAL AMOUNT FOR BALLISTIC MISSILE DEFENSE OR COMBATING TERRORISM IN ACCORDANCE WITH NATIONAL SECURITY PRIORITIES OF THE PRESIDENT.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts authorized to be appropriated by other provisions of this division, there is hereby authorized to be appropriated for the Department of Defense for fiscal year 2003, \$814,300,000 for whichever of the following purposes the President determines that the additional amount is necessary in the national security interests of the United States:

(1) Research, development, test, and evaluation for ballistic missile defense programs of the Department of Defense.

(2) Activities of the Department of Defense for combating terrorism at home and abroad.

(b) OFFSET.—The total amount authorized to be appropriated under the other provisions of this division is hereby reduced by \$814,300,000 to reflect the amounts that the Secretary determines unnecessary by reason of a revision of assumptions regarding inflation that are applied as a result of the midsession review of the budget conducted by the Office of Management and Budget during the spring and early summer of 2002.

(c) PRIORITY FOR ALLOCATING FUNDS.—In the expenditure of additional funds made available by a lower rate of inflation, the top priority shall be the use of such additional funds for Department of Defense activities for combating terrorism and protecting the American people at home and abroad.

SA 4008. Mr. REID (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 905. VETERINARY CORPS OF THE ARMY.

(a) COMPOSITION AND ADMINISTRATION.—(1) Chapter 307 of title 10, United States Code, is amended by inserting after section 3070 the following new section 3071:

"§ 3071. Veterinary Corps: composition; Chief and assistant chief; appointment; grade

"(a) COMPOSITION.—The Veterinary Corps consists of the Chief and assistant chief of that corps and other officers in grades prescribed by the Secretary of the Army.

"(b) CHIEF.—The Secretary of the Army shall appoint the Chief from the officers of the Regular Army in that corps whose regular grade is above lieutenant colonel and who are recommended by the Surgeon General. An appointee who holds a lower regular

grade shall be appointed in the regular grade of brigadier general. The Chief serves during the pleasure of the Secretary, but not for more than four years, and may not be reappointed to the same position.

“(c) ASSISTANT CHIEF.—The Surgeon General shall appoint the assistant chief from the officers of the Regular Army in that corps whose regular grade is above lieutenant colonel. The assistant chief serves during the pleasure of the Surgeon General, but not for more than four years and may not be reappointed to the same position.”

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3070 the following new item:

“3071. Veterinary Corps: composition; Chief and assistant chief; appointment; grade.”

(b) EFFECTIVE DATE.—Section 3071 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2002.

SA 4009. Mr. DOMENICI (for himself, Mr. BIDEN, Mr. LUGAR, Ms. LANDRIEU, Mr. HAGEL, Mrs. CARNAHAN, Mr. MURKOWSKI, Mr. BINGAMAN, Mrs. LINCOLN, and Ms. MIKULSKI) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike section 3152.

At the end of subtitle D of title XXXI, add the following:

SEC. 3155. TESTING OF PREPAREDNESS FOR EMERGENCIES INVOLVING NUCLEAR, RADIOLOGICAL, CHEMICAL, OR BIOLOGICAL WEAPONS.

(a) EXTENSION OF TESTING.—Section 1415 of the Defense Against Weapons of Mass Destruction Act of 1996 (title XIV of Public Law 104-201; 110 Stat. 2720; 50 U.S.C. 2315) is amended—

(1) in subsection (a)(2), by striking “of five successive fiscal years beginning with fiscal year 1997” and inserting “of fiscal years 1997 through 2013”; and

(2) in subsection (b)(2), by striking “of five successive fiscal years beginning with fiscal year 1997” and inserting “of fiscal years 1997 through 2013”.

(b) CONSTRUCTION OF EXTENSION WITH DESIGNATION OF ATTORNEY GENERAL AS LEAD OFFICIAL.—The amendment made by subsection (a) may not be construed as modifying the designation of the President entitled “Designation of the Attorney General as the Lead Official for the Emergency Response Assistance Program Under Sections 1412 and 1415 of the National Defense Authorization Act for Fiscal Year 1997”, dated April 6, 2000, designating the Attorney General to assume programmatic and funding responsibilities for the Emergency Response Assistance Program under sections 1412 and 1415 of the Defense Against Weapons of Mass Destruction Act of 1996.

SEC. 3156. PROGRAM ON RESEARCH AND TECHNOLOGY FOR PROTECTION FROM NUCLEAR OR RADIOLOGICAL TERRORISM.

(a) PROGRAM REQUIRED.—(1) The Administrator for Nuclear Security shall carry out a program on research and technology for protection from nuclear or radiological terrorism, including technology for the detection (particularly as border crossings and ports of entry), identification, assessment,

control, disposition, consequence management, and consequence mitigation of the dispersal of radiological materials or of nuclear terrorism.

(2) The Administrator shall carry out the program as part of the support of the Administrator for homeland security and counterterrorism within the National Nuclear Security Administration

(b) PROGRAM ELEMENTS.—In carrying out the program required by subsection (a), the Administrator shall—

(1) provide for the development of technologies to respond to threats or incidents involving nuclear or radiological terrorism in the United States;

(2) demonstrate applications of the technologies developed under paragraph (1), including joint demonstrations with the Office of Homeland Security and other appropriate Federal agencies;

(3) provide, where feasible, for the development in cooperation with the Russian Federation of technologies to respond to nuclear or radiological terrorism in the former states of the Soviet Union, including the demonstration of technologies so developed;

(4) provide, where feasible, assistance to other countries on matters relating to nuclear or radiological terrorism, including—

(A) the provision of technology and assistance on means of addressing nuclear or radiological incidents;

(B) the provision of assistance in developing means for the safe disposal of radioactive materials;

(C) in coordination with the Nuclear Regulatory Commission, the provision of assistance in developing the regulatory framework for licensing and developing programs for the protection and control of radioactive sources; and

(D) the provision of assistance in evaluating the radiological sources identified as not under current accounting programs in the report of the Inspector General of the Department of Energy entitled “Accounting for Sealed Sources of Nuclear Material Provided to Foreign Countries”, and in identifying and controlling radiological sources that represent significant risks; and

(5) in coordination with the Office of Environment, Safety, and Health of the Department of Energy, the Department of Commerce, and the International Atomic Energy Agency, develop consistent criteria for screening international transfers of radiological materials.

(c) REQUIREMENTS FOR INTERNATIONAL ELEMENTS OF PROGRAM.—(1) In carrying out activities in accordance with paragraphs (3) and (4) of subsection (b), the Administrator shall consult with—

(A) the Secretary of Defense, Secretary of State, and Secretary of Commerce; and

(B) the International Atomic Energy Agency.

(2) The Administrator shall encourage joint leadership between the United States and the Russian Federation of activities on the development of technologies under subsection (b)(4).

(d) INCORPORATION OF RESULTS IN EMERGENCY RESPONSE ASSISTANCE PROGRAM.—To the maximum extent practicable, the technologies and information developed under the program required by subsection (a) shall be incorporated into the program on responses to emergencies involving nuclear and radiological weapons carried out under section 1415 of the Defense Against Weapons of Mass Destruction Act of 1996 (title XIV of Public Law 104-201; 50 U.S.C. 2315).

(e) AMOUNT FOR ACTIVITIES.—Of the amount authorized to be appropriated by section 3101(2) for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation

and available for the development of a new generation of radiation detectors for homeland defense, up to \$15,000,000 shall be available for carrying out this section.

SEC. 3157. EXPANSION OF INTERNATIONAL MATERIALS PROTECTION, CONTROL, AND ACCOUNTING PROGRAM.

(a) EXPANSION OF PROGRAM TO ADDITIONAL COUNTRIES AUTHORIZED.—The Secretary of Energy may expand the International Materials Protection, Control, and Accounting (MPC&A) program of the Department of Energy to encompass countries outside the Russian Federation and the independent states of the former Soviet Union.

(b) NOTICE TO CONGRESS OF USE OF FUNDS FOR ADDITIONAL COUNTRIES.—Not later than 30 days after the Secretary obligates funds for the International Materials Protection, Control, and Accounting program, as expanded under subsection (a), for activities in or with respect to a country outside the Russian Federation and the independent states of the former Soviet Union, the Secretary shall submit to Congress a notice of the obligation of such funds for such activities.

(c) ASSISTANCE TO DEPARTMENT OF STATE FOR NUCLEAR MATERIALS SECURITY PROGRAMS.—(1) As part of the International Materials Protection, Control, and Accounting program, the Secretary of Energy may provide technical assistance to the Secretary of State in the efforts of the Secretary of State to assist other nuclear weapons states to review and improve their nuclear materials security programs.

(2) The technical assistance provided under paragraph (1) may include the sharing of technology or methodologies to the states referred to in that paragraph. Any such sharing shall—

(A) be consistent with the treaty obligations of the United States; and

(B) take into account the sovereignty of the state concerned and its weapons programs, as well the sensitivity of any information involved regarding United States weapons or weapons systems.

(3) The Secretary of Energy may include the Russian Federation in activities under paragraph (1) if the Secretary determines that the experience of the Russian Federation under the International Materials Protection, Control, and Accounting program with the Russian Federation would make the participation of the Russian Federation in such activities useful in providing technical assistance under that paragraph.

(d) PLAN FOR ACCELERATED CONVERSION OR RETURN OF WEAPONS-USABLE NUCLEAR MATERIALS.—(1) The Secretary shall develop a plan to accelerate the conversion or return to the country of origin of all weapons-usable nuclear materials located in research reactors and other facilities outside the country of origin.

(2) The plan under paragraph (1) for nuclear materials of origin in the Soviet Union shall be developed in consultation with the Russian Federation.

(3) As part of the plan under paragraph (1), the Secretary shall identify the funding and schedules required to assist the research reactors and facilities referred to in that paragraph in upgrading their materials protection, control, and accounting procedures until the weapons-usable nuclear materials in such reactors and facilities are converted or returned in accordance with that paragraph.

(4) The provision of assistance under paragraph (3) shall be closely coordinated with ongoing efforts of the International Atomic Energy Agency for the same purpose.

(e) RADIOLOGICAL DISPERSAL DEVICE MATERIALS PROTECTION, CONTROL, AND ACCOUNTING.—(1) The Secretary shall establish within the International Materials Protection, Control, and Accounting program a program on

the protection, control, and accounting of materials usable in radiological dispersal devices.

(2) The program under paragraph (1) shall include—

(A) an identification of vulnerabilities regarding radiological materials worldwide;

(B) the mitigation of vulnerabilities so identified through appropriate security enhancements; and

(C) an acceleration of efforts to recover and control diffused radiation sources and 'orphaned' radiological sources that are of sufficient strength to represent a significant risk.

(3) The program under paragraph (1) shall be known as the Radiological Dispersal Device Materials Protection, Control, and Accounting program.

(f) **STUDY OF PROGRAM TO SECURE CERTAIN RADIOLOGICAL MATERIALS.**—(1) The Secretary, acting through the Administrator for Nuclear Security, shall require the Office of International Materials Protection, Control, and Accounting of the Department of Energy to conduct a study to determine the feasibility and advisability of developing a program to secure radiological materials outside the United States that pose a threat to the national security of the United States.

(2) The study under paragraph (1) shall include the following:

(A) An identification of the categories of radiological materials that are covered by that paragraph, including an order of priority for securing each category of such radiological materials.

(B) An estimate of the number of sites at which such radiological materials are present.

(C) An assessment of the effort required to secure such radiological materials at such sites, including—

(i) a description of the security upgrades, if any, that are required at such sites;

(ii) an assessment of the costs of securing such radiological materials at such sites;

(iii) a description of any cost-sharing arrangements to defray such costs;

(iv) a description of any legal impediments to such effort, including a description of means of overcoming such impediments; and

(v) a description of the coordination required for such effort among appropriate United States Government entities (including the Nuclear Regulatory Commission), participating countries, and international bodies (including the International Atomic Energy Agency).

(D) A description of the pilot project undertaken in Russia.

(3) In identifying categories of radiological materials under paragraph (2)(A), the Secretary shall take into account matters relating to specific activity, half-life, radiation type and energy, attainability, difficulty of handling, and toxicity, and such other matters as the Secretary considers appropriate.

(4) Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under this subsection. The report shall include the matters specified under paragraph (2) and such other matters, including recommendations, as the Secretary considers appropriate as a result of the study.

(5) In this subsection, the term "radiological material" means any radioactive material, other than plutonium (Pu) or uranium enriched above 20 percent uranium-235.

(g) **AMENDMENT OF CONVENTION ON PHYSICAL PROTECTION OF NUCLEAR MATERIAL.**—(1) It is the sense of Congress that the President should encourage amendment of the Convention on the Physical Protection of Nuclear Materials in order to provide that the Convention shall—

(A) apply to both the domestic and international use and transport of nuclear materials;

(B) incorporate fundamental practices for the physical protection of such materials; and

(C) address protection against sabotage involving nuclear materials.

(2) In this subsection, the term "Convention on the Physical Protection of Nuclear Materials" means the Convention on the Physical Protection of Nuclear Materials, With Annex, done at Vienna on October 26, 1979.

(h) **AMOUNT FOR ACTIVITIES.**—Of the amount authorized to be appropriated by section 3102(2) for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation, up to \$5,000,000 shall be available for carrying out this section.

SEC. 3158. ACCELERATED DISPOSITION OF HIGHLY ENRICHED URANIUM AND PLUTONIUM.

(a) **SENSE OF CONGRESS ON PROGRAM TO SECURE STOCKPILES OF HIGHLY ENRICHED URANIUM AND PLUTONIUM.**—(1) It is the sense of Congress that the Secretary of Energy, in consultation with the Secretary of State and Secretary of Defense, should develop a comprehensive program of activities to encourage all countries with nuclear materials to adhere to, or to adopt standards equivalent to, the International Atomic Energy Agency standard on The Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Rev.4), relating to the security of stockpiles of highly enriched uranium (HEU) and plutonium (Pu).

(2) To the maximum extent practicable, the program should be developed in consultation with the Russian Federation, other Group of 8 countries, and other allies of the United States.

(3) Activities under the program should include specific, targeted incentives intended to encourage countries that cannot undertake the expense of conforming to the standard referred to in paragraph (1) to relinquish their highly enriched uranium (HEU) or plutonium (Pu), including incentives in which a country, group of countries, or international body—

(A) purchase such materials and provide for their security (including by removal to another location);

(B) undertake the costs of decommissioning facilities that house such materials;

(C) in the case of research reactors, convert such reactors to low-enriched uranium reactors; or

(D) upgrade the security of facilities that house such materials in order to meet stringent security standards that are established for purposes of the program based upon agreed best practices.

(b) **PROGRAM ON ACCELERATED DISPOSITION OF HEU AUTHORIZED.**—(1) The Secretary of Energy may carry out a program to pursue with the Russian Federation, and any other nation that possesses highly enriched uranium, options for blending such uranium so that the concentration of U-235 in such uranium is below 20 percent.

(2) The options pursued under paragraph (1) shall include expansion of the Material Consolidation and Conversion program of the Department of Energy to include—

(A) additional facilities for the blending of highly enriched uranium; and

(B) additional centralized secure storage facilities for highly enriched uranium designated for blending.

(c) **INCENTIVES REGARDING HIGHLY ENRICHED URANIUM IN RUSSIA.**—As part of the options pursued under subsection (b) with the Russian Federation, the Secretary may provide financial and other incentives for the

removal of all highly enriched uranium from any particular facility in the Russian Federation if the Secretary determines that such incentives will facilitate the consolidation of highly enriched uranium in the Russian Federation to the best-secured facilities.

(d) **CONSTRUCTION WITH HEU DISPOSITION AGREEMENT.**—Nothing in this section may be construed as terminating, modifying, or otherwise effecting requirements for the disposition of highly enriched uranium under the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, signed at Washington on February 18, 1993.

(e) **PRIORITY IN BLENDING ACTIVITIES.**—In pursuing options under this section, the Secretary shall give priority to the blending of highly enriched uranium from weapons, though highly enriched uranium from sources other than weapons may also be blended.

(f) **TRANSFER OF HIGHLY ENRICHED URANIUM AND PLUTONIUM TO UNITED STATES.**—(1) As part of the program under subsection (b), the Secretary may, upon the request of any nation—

(A) purchase highly enriched uranium or weapons grade plutonium from the nation at a price determined by the Secretary;

(B) transport any uranium or plutonium so purchased to the United States; and

(C) store any uranium or plutonium so transported in the United States.

(2) The Secretary is not required to blend any highly enriched uranium purchased under paragraph (1)(A) in order to reduce the concentration of U-235 in such uranium to below 20 percent. Amounts authorized to be appropriated by subsection (m) may not be used for purposes of blending such uranium.

(g) **TRANSFER OF HIGHLY ENRICHED URANIUM TO RUSSIA.**—(1) As part of the program under subsection (b), the Secretary may encourage nations with highly enriched uranium to transfer such uranium to the Russian Federation for disposition under this section.

(2) The Secretary may pay any nation that transfers highly enriched uranium to the Russian Federation under this subsection an amount determined appropriate by the Secretary.

(3) The Secretary may bear the cost of any blending and storage of uranium transferred to the Russian Federation under this subsection, including any costs of blending and storage under a contract under subsection (h). Any site selected for such storage shall have undergone complete materials protection, control, and accounting upgrades before the commencement of such storage.

(h) **CONTRACTS FOR BLENDING AND STORAGE OF HIGHLY ENRICHED URANIUM IN RUSSIA.**—(1) As part of the program under subsection (b), the Secretary may enter into one or more contracts with the Russian Federation—

(A) to blend in the Russian Federation highly enriched uranium of the Russian Federation and highly enriched uranium transferred to the Russian Federation under subsection (g); or

(B) to store in the Russian Federation highly enriched uranium before blending or the blended material.

(2) Any site selected for the storage of uranium or blended material under paragraph (1)(B) shall have undergone complete materials protection, control, and accounting upgrades before the commencement of such storage.

(i) **LIMITATION ON RELEASE FOR SALE OF BLENDED URANIUM.**—Uranium blended under this section may not be released for sale until the earlier of—

(1) January 1, 2014; or

(2) the date on which the Secretary certifies that such uranium can be absorbed into the global market without undue disruption to the uranium mining industry in the United States.

(j) **PROCEEDS OF SALE OF URANIUM BLENDED BY RUSSIA.**—Upon the sale by the Russian Federation of uranium blended under this section by the Russian Federation, the Secretary may elect to receive from the proceeds of such sale an amount not to exceed 75 percent of the costs incurred by the Department of Energy under subsections (c), (g), and (h).

(k) **REPORT ON STATUS OF PROGRAM.**—Not later than July 1, 2003, the Secretary shall submit to Congress a report on the status of the program carried out under the authority in subsection (b). The report shall include—

(1) a description of international interest in the program;

(2) schedules and operational details of the program; and

(3) recommendations for future funding for the program.

(l) **HIGHLY ENRICHED URANIUM DEFINED.**—In this section, the term “highly enriched uranium” means uranium with a concentration of U-235 of 20 percent or more.

(m) **AMOUNT FOR ACTIVITIES.**—Of the amount to be appropriated by section 3102(2) for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation, up to \$40,000,000 shall be available for carrying out this section.

SEC. 3159A. DISPOSITION OF PLUTONIUM IN RUSSIA.

(a) **NEGOTIATIONS WITH RUSSIAN FEDERATION.**—(1) The Secretary of Energy is encouraged to continue to support the Secretary of State in negotiations with the Ministry of Atomic Energy of the Russian Federation to finalize the plutonium disposition program of the Russian Federation (as established under the agreement described in subsection (b)).

(2) As part of the negotiations, the Secretary of Energy may consider providing additional funds to the Ministry of Atomic Energy in order to reach a successful agreement.

(3) If such an agreement, meeting the requirements in subsection (c), is reached with the Ministry of Atomic Energy, which requires additional funds for the Russian work, the Secretary shall either seek authority to use funds available for another purpose, or request supplemental appropriations, for such work.

(b) **AGREEMENT.**—The agreement referred to in subsection (a) is the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Management and Disposition of Plutonium Designated As No Longer Required For Defense Purposes and Related Cooperation, signed August 29, 2000, and September 1, 2000.

(c) **REQUIREMENT FOR DISPOSITION PROGRAM.**—The plutonium disposition program under subsection (a)—

(1) shall include transparent verifiable steps;

(2) shall proceed at a rate approximately equivalent to the rate of the United States program for the disposition of plutonium;

(3) shall provide for cost-sharing among a variety of countries;

(4) shall provide for contributions by the Russian Federation;

(5) shall include steps over the near term to provide high confidence that the schedules for the disposition of plutonium of the Russian Federation will be achieved; and

(6) may include research on more speculative long-term options for the future disposi-

tion of the plutonium of the Russian Federation in addition to the near-term steps under paragraph (5).

SEC. 3159B. STRENGTHENED INTERNATIONAL SECURITY FOR NUCLEAR MATERIALS AND SAFETY AND SECURITY OF NUCLEAR OPERATIONS.

(a) **REPORT ON OPTIONS FOR INTERNATIONAL PROGRAM TO STRENGTHEN SECURITY AND SAFETY.**—(1) Not later than 270 days after the date of the enactment of this Act, the Secretary of Energy shall submit to Congress a report on options for an international program to develop strengthened security for all nuclear materials and safety and security for current nuclear operations.

(2) The Secretary shall consult with the Office of Nuclear Energy Science and Technology of the Department of Energy in the development of options for purposes of the report.

(3) In evaluating options for purposes of the report, the Secretary shall consult with the Nuclear Regulatory Commission and the International Atomic Energy Agency on the feasibility and advisability of actions to reduce the risks associated with terrorist attacks on nuclear power plants outside the United States.

(4) Each option for an international program under paragraph (1) may provide that the program is jointly led by the United States, the Russian Federation, and the International Atomic Energy Agency.

(5) The Secretary shall include with the report on options for an international program under paragraph (1) a description and assessment of various management alternatives for the international program. If any option requires Federal funding or legislation to implement, the report shall also include recommendations for such funding or legislation, as the case may be.

(b) **JOINT PROGRAMS WITH RUSSIA ON PROLIFERATION RESISTANT NUCLEAR ENERGY TECHNOLOGIES.**—The Director of the Office of Nuclear Energy Science and Technology Energy shall, in coordination with the Secretary, pursue with the Ministry of Atomic Energy of the Russian Federation joint programs between the United States and the Russian Federation on the development of proliferation resistant nuclear energy technologies, including advanced fuel cycles.

(c) **PARTICIPATION OF INTERNATIONAL TECHNICAL EXPERTS.**—In developing options under subsection (a), the Secretary shall, in consultation with the Nuclear Regulatory Commission, the Russian Federation, and the International Atomic Energy Agency, convene and consult with an appropriate group of international technical experts on the development of various options for technologies to provide strengthened security for nuclear materials and safety and security for current nuclear operations, including the implementation of such options.

(d) **ASSISTANCE REGARDING HOSTILE INSIDERS AND AIRCRAFT IMPACTS.**—(1) The Secretary may, utilizing appropriate expertise of the Department of Energy and the Nuclear Regulatory Commission, provide assistance to nuclear facilities abroad on the interdiction of hostile insiders at such facilities in order to prevent incidents arising from the disablement of the vital systems of such facilities.

(2) The Secretary may carry out a joint program with the Russian Federation and other countries to address and mitigate concerns on the impact of aircraft with nuclear facilities in such countries.

(e) **ASSISTANCE TO IAEA IN STRENGTHENING INTERNATIONAL NUCLEAR SAFETY AND SECURITY.**—The Secretary may expand and accelerate the programs of the Department of Energy to support the International Atomic Energy Agency in strengthening international nuclear safety and security.

(f) **AMOUNT FOR ACTIVITIES.**—Of the amount authorized to be appropriated by section 3102(2) for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation, up to \$35,000,000 shall be available for carrying out this section as follows:

(1) For activities under subsections (a) through (d), \$20,000,000, of which—

(A) \$5,000,000 shall be available for sabotage protection for nuclear power plants and other nuclear facilities abroad; and

(B) \$10,000,000 shall be available for development of proliferation resistant nuclear energy technologies under subsection (b).

(2) For activities under subsection (e), \$15,000,000.

SEC. 3159C. EXPORT CONTROL PROGRAMS.

(a) **AUTHORITY TO PURSUE OPTIONS FOR STRENGTHENING EXPORT CONTROL PROGRAMS.**—The Secretary of Energy may pursue in the former Soviet Union and other regions of concern, principally in South Asia, the Middle East, and the Far East, options for accelerating programs that assist countries in such regions in improving their domestic export control programs for materials, technologies, and expertise relevant to the construction or use of a nuclear or radiological dispersal device.

(b) **AMOUNT FOR ACTIVITIES.**—Of the amount authorized to be appropriated by section 3102(2) for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation, up to \$5,000,000 shall be available for carrying out this section.

SEC. 3159D. IMPROVEMENTS TO NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING PROGRAM OF THE RUSSIAN FEDERATION.

(a) **REVISED FOCUS FOR PROGRAM.**—(1) The Secretary of Energy shall work cooperatively with the Russian Federation to update and improve the Joint Action Plan for the Materials Protection, Control, and Accounting programs of the Department and the Russian Federation Ministry of Atomic Energy.

(2) The updated plan shall shift the focus of the upgrades of the nuclear materials protection, control, and accounting program of the Russian Federation in order to assist the Russian Federation in achieving, as soon as practicable but not later than January 1, 2012, a sustainable nuclear materials protection, control, and accounting system for the nuclear materials of the Russian Federation that is supported solely by the Russian Federation.

(b) **PACE OF PROGRAM.**—The Secretary shall work with the Russian Federation, including applicable institutes in Russia, to pursue acceleration of the nuclear materials protection, control, and accounting programs at nuclear defense facilities in the Russian Federation.

(c) **TRANSPARENCY OF PROGRAM.**—The Secretary shall work with the Russian Federation to identify various alternatives to provide the United States adequate transparency in the nuclear materials protection, control, and accounting program of the Russian Federation to assure that such program is meeting applicable goals for nuclear materials protection, control, and accounting.

(d) **SENSE OF CONGRESS.**—In furtherance of the activities required under this section, it is the sense of Congress the Secretary should—

(1) enhance the partnership with the Russian Ministry of Atomic Energy in order to increase the pace and effectiveness of nuclear materials accounting and security activities at facilities in the Russian Federation, including serial production enterprises; and

(2) clearly identify the assistance required by the Russian Federation, the contributions

anticipated from the Russian Federation, and the transparency milestones that can be used to assess progress in meeting the requirements of this section.

SEC. 3159E. COMPREHENSIVE ANNUAL REPORT TO CONGRESS ON COORDINATION AND INTEGRATION OF ALL UNITED STATES NONPROLIFERATION ACTIVITIES.

Section 1205 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1247) is amended by adding at the end the following new subsection:

“(d) ANNUAL REPORT ON IMPLEMENTATION OF PLAN.—(1) Not later than January 31, 2003, and each year thereafter, the President shall submit to Congress a report on the implementation of the plan required by subsection (a) during the preceding year.

“(2) Each report under paragraph (1) shall include—

“(A) a discussion of progress made during the year covered by such report in the matters of the plan required by subsection (a);

“(B) a discussion of consultations with foreign nations, and in particular the Russian Federation, during such year on joint programs to implement the plan;

“(C) a discussion of cooperation, coordination, and integration during such year in the implementation of the plan among the various departments and agencies of the United States Government, as well as private entities that share objectives similar to the objectives of the plan; and

“(D) any recommendations that the President considers appropriate regarding modifications to law or regulations, or to the administration or organization of any Federal department or agency, in order to improve the effectiveness of any programs carried out during such year in the implementation of the plan.”.

SEC. 3159F. UTILIZATION OF DEPARTMENT OF ENERGY NATIONAL LABORATORIES AND SITES IN SUPPORT OF COUNTERTERRORISM AND HOMELAND SECURITY ACTIVITIES.

(a) AGENCIES AS JOINT SPONSORS OF LABORATORIES FOR WORK ON ACTIVITIES.—Each department or agency of the Federal Government, or of a State or local government, that carries out work on counterterrorism and homeland security activities at a Department of Energy national laboratory may be a joint sponsor, under a multiple agency sponsorship arrangement with the Department, of such laboratory in the performance of such work.

(b) AGENCIES AS JOINT SPONSORS OF SITES FOR WORK ON ACTIVITIES.—Each department or agency of the Federal Government, or of a State or local government, that carries out work on counterterrorism and homeland security activities at a Department of Energy site may be a joint sponsor of such site in the performance of such work as if such site were a federally funded research and development center and such work were performed under a multiple agency sponsorship arrangement with the Department.

(c) PRIMARY SPONSORSHIP.—The Department of Energy shall be the primary sponsor under a multiple agency sponsorship arrangement required under subsection (a) or (b).

(d) WORK.—(1) The Administrator for Nuclear Security shall act as the lead agent in coordinating the formation and performance of a joint sponsorship agreement between a requesting agency and a Department of Energy national laboratory or site for work on counterterrorism and homeland security.

(2) A request for work may not be submitted to a national laboratory or site under this section unless approved in advance by the Administrator.

(3) Any work performed by a national laboratory or site under this section shall comply with the policy on the use of federally funded research and development centers under section 35.017(a)(4) of the Federal Acquisition Regulation.

(4) The Administrator shall ensure that the work of a national laboratory or site requested under this section is performed expeditiously and to the satisfaction of the head of the department or agency submitting the request.

(e) FUNDING.—(1) Subject to paragraph (2), a joint sponsor of a Department of Energy national laboratory or site under this section shall provide funds for work of such national laboratory or site, as the case may be, under this section under the same terms and conditions as apply to the primary sponsor of such national laboratory under section 303(b)(1)(C) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(b)(1)(C)) or of such site to the extent such section applies to such site as a federally funded research and development center by reason of subsection (b).

(2) The total amount of funds provided a national laboratory or site in a fiscal year under this subsection by joint sponsors other than the Department of Energy shall not exceed an amount equal to 25 percent of the total funds provided such national laboratory or site, as the case may be, in such fiscal year from all sources.

SA 4010. Mr. KERRY (for himself, Mr. BOND, and Mrs. CARNAHAN) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 194, between lines 13 and 14, insert the following:

SEC. 828. REPORT ON EFFECTS OF ARMY CONTRACTING AGENCY.

(a) IN GENERAL.—The Secretary of the Army shall submit a report on the effects of the establishment of an Army Contracting Agency on small business participation in Army procurements during the first year of operation of such an agency to—

(1) the Committee on Armed Services of the House of Representatives;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Small Business of the House of Representatives; and

(4) the Committee on Small Business and Entrepreneurship of the Senate.

(b) CONTENT.—The report required under subsection (a) shall include, in detail—

(1) the justification for the establishment of an Army Contracting Agency;

(2) a discussion of how the establishment and operations of an Army Contracting Agency has affected Army compliance with—

(A) Department of Defense Directive 4205.1;

(B) section 15(g) of the Small Business Act; and

(C) section 15(k) of the Small Business Act;

(3) the effect of the establishment and operations of an Army Contracting Agency on small business participation in Army procurement contracts, including—

(A) the impact on small businesses located near Army installations, including—

(i) the increase or decrease in the total value of Army prime contracting with local small businesses; and

(ii) the opportunities for small business owners to meet and interact with Army procurement personnel; and

(B) the increase in consolidated contracts and bundled contracts; and

(4) if there is a negative effect on small business participation in Army procurement contracts, in general or near any Army installation, a description of the Army's plan to increase small business participation where it is negatively affected.

(c) TIME FOR SUBMISSION.—The report under this section shall be due 15 months after the date of the establishment of the Army Contracting Agency.

SA 4011. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . REPORT ON INDUSTRIES UNDERREPRESENTED BY WOMEN.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit a report on the results of the study required by section 8(m)(4) of the Small Business Act (15 U.S.C. 637(m)(4)) to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

SA 4012. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title 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.

SA 4013. Mr. DOMENICI submitted an amendment intended to be proposed by

him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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 shall 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.

SA 4014. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1065. PROVISION OF SPACE AND SERVICES TO THE NAVY-MARINE CORPS RELIEF SOCIETY.

(a) AUTHORITY TO PROVIDE SPACE AND SERVICES.—Chapter 649 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 7583. Navy-Marine Corps Relief Society: provision of space and services

“(a) AUTHORITY TO PROVIDE SPACE AND SERVICES.—The Secretary of the Navy may provide, without charge, space and services under the jurisdiction of the Secretary to the Navy-Marine Corps Relief Society.

“(b) SERVICES DEFINED.—In this section, 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 associated services), and security systems (including installation).”.

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

“7583. Navy-Marine Corps Relief Society: provision of space and services.”.

SA 4015. Mr. THURMOND submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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. Such efforts may be carried out by any entity, including a not-for-profit private entity, designated by the Secretary for that purpose.

(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.

SA 4016. Mr. THURMOND submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In 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”.

SA 4017. Mr. WARNER (for Mr. HELMS (for himself and Mr. CLELAND)) submitted an amendment intended to be proposed by Mr. Warner to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 346. INSTALLATION AND CONNECTION POLICY AND PROCEDURES REGARDING DEFENSE SWITCH NETWORK.

(a) ESTABLISHMENT OF POLICY AND PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Sec-

retary of Defense shall establish clear and uniform policy and procedures, applicable to the military departments and Defense Agencies, regarding the installation and connection of telecom switches to the Defense Switch Network.

(b) ELEMENTS OF POLICY AND PROCEDURES.—The policy and procedures shall address at a minimum the following:

(1) Clear interoperability and compatibility requirements for procuring, certifying, installing, and connecting telecom switches to the Defense Switch Network.

(2) Current, complete, and enforceable testing, validation, and certification procedures needed to ensure the interoperability and compatibility requirements are satisfied.

(c) EXCEPTIONS.—(1) The Secretary of Defense may specify certain circumstances in which—

(A) the requirements for testing, validation, and certification of telecom switches may be waived; or

(B) interim authority for the installation and connection of telecom switches to the Defense Switch Network may be granted.

(2) Only the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, after consultation with the Chairman of the Joint Chiefs of Staff, may approve a waiver or grant of interim authority under paragraph (1).

(d) INVENTORY OF DEFENSE SWITCH NETWORK.—The Secretary of Defense shall prepare and maintain an inventory of all telecom switches that, as of the date on which the Secretary issues the policy and procedures—

(1) are installed or connected to the Defense Switch Network; but

(2) have not been tested, validated, and certified by the Defense Information Systems Agency (Joint Interoperability Test Center).

(e) INTEROPERABILITY RISKS.—(1) The Secretary of Defense shall, on an ongoing basis—

(A) identify and assess the interoperability risks that are associated with the installation or connection of uncertified switches to the Defense Switch Network and the maintenance of such switches on the Defense Switch Network; and

(B) develop and implement a plan to eliminate or mitigate such risks as identified.

(2) The Secretary shall initiate action under paragraph (1) upon completing the initial inventory of telecom switches required by subsection (d).

(f) TELECOM SWITCH DEFINED.—In this section, the term “telecom switch” means hardware or software designed to send and receive voice, data, or video signals across a network that provides customer voice, data, or video equipment access to the Defense Switch Network or public switched telecommunications networks.

SA 4018. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 130, between lines 6 and 7, insert the following:

SEC. 604. TEMPORARY AUTHORITY FOR HIGHER RATES OF PARTIAL BASIC ALLOWANCE FOR HOUSING FOR CERTAIN MEMBERS ASSIGNED TO HOUSING UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) **AUTHORITY.**—The Secretary of Defense may prescribe and, under section 403(n) of title 37, United States Code, pay for members of the Armed Forces (without dependents) in privatized housing higher rates of partial basic allowance for housing than those that are authorized under paragraph (2) of such section 403(n).

(b) **MEMBERS IN PRIVATIZED HOUSING.**—For the purposes of this section, a member of the Armed Forces (without dependents) is a member of the Armed Forces (without dependents) in privatized housing while the member is assigned to housing that is acquired or constructed under the authority of subchapter IV of chapter 169 of title 10, United States Code.

(c) **TREATMENT OF HOUSING AS GOVERNMENT QUARTERS.**—For purposes of section 403 of title 37, United States Code, a member of the Armed Forces (without dependents) in privatized housing shall be treated as residing in quarters of the United States or a housing facility under the jurisdiction of the Secretary of a military department while a higher rate of partial allowance for housing is paid for the member under this section.

(d) **PAYMENT TO PRIVATE SOURCE.**—The partial basic allowance for housing paid for a member at a higher rate under this section may be paid directly to the private sector source of the housing to whom the member is obligated to pay rent or other charge for residing in such housing if the private sector source credits the amount so paid against the amount owed by the member for the rent or other charge.

(e) **TERMINATION OF AUTHORITY.**—Rates prescribed under subsection (a) may not be paid under the authority of this section in connection with contracts that are entered into after December 31, 2007, for the construction or acquisition of housing under the authority of subchapter IV of chapter 169 of title 10, United States Code.

SA 4019. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 305. DISPOSAL OF OBSOLETE VESSELS OF THE NATIONAL DEFENSE RESERVE FLEET.

Of the amount authorized to be appropriated by section 301(a)(2) for operation and maintenance for the Navy, \$20,000,000 may be available, without fiscal year limitation if so provided in appropriations Acts, for expenses related to the disposal of obsolete vessels in the Maritime Administration National Defense Reserve Fleet.

SA 4020. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the De-

partment of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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 \$1,500,000. 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.

SA 4021. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 214. ANALYSIS OF EMERGING THREATS.

(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 \$2,000,000 with the amount of the increase to be allocated to Marine Corps Advanced Technology Demonstration (ATD) (PE0603640M).

(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), \$2,000,000 shall be available for analysis of emerging threats.

(2) The amount available under paragraph (1) for analysis of emerging threats is in addition to any other amounts available under this Act for analysis of emerging threats.

(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 \$2,000,000, with the amount of the reduction allocated as follows:

(1) \$1,000,000 shall be allocated to Weapons and Munitions Technology (PE0602624A) and available for countermobility systems.

(2) \$1,000,000 shall be allocated to Warfighter Advanced Technology (PE0603001A) and available for Objective Force Warrior technologies.

SA 4022. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2829. LAND CONVEYANCES, ENGINEER PROVING GROUND, FORT BELVOIR, VIRGINIA.

(a) **CONVEYANCE TO FAIRFAX COUNTY, VIRGINIA, AUTHORIZED.**—(1) The Secretary of the Army may convey, without consideration, to Fairfax County, Virginia, all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 135 acres, located in the northwest portion of the Engineer Proving Ground (EPG) at Fort Belvoir, Virginia, in order to permit the County to use such property for park and recreational purposes.

(2) The parcel of real property authorized to be conveyed by paragraph (1) is generally described as that portion of the Engineer Proving Ground located west of Accotink Creek, east of the Fairfax County Parkway, and north of Cissna Road to the northern boundary, but excludes a parcel of land consisting of approximately 15 acres located in the southeast corner of such portion of the Engineer Proving Ground.

(3) The land excluded under paragraph (2) from the parcel of real property authorized to be conveyed by paragraph (1) shall be reserved for an access road to be constructed in the future.

(b) **CONVEYANCE OF BALANCE OF PROPERTY AUTHORIZED.**—The Secretary may convey to any competitively selected grantee all right, title, and interest of the United States in and to the real property, including any improvements thereon, at the Engineering Proving Ground, not conveyed under the authority in subsection (a).

(c) **CONSIDERATION.**—(1) As consideration for the conveyance authorized by subsection (b), the grantee shall provide the United States, whether by cash payment, in-kind contribution, or a combination thereof, an amount that is not less than the fair market value, as determined by the Secretary, of the property conveyed under that subsection.

(2) In-kind consideration under paragraph (1) may include the maintenance, improvement, alteration, repair, remodeling, restoration (including environmental restoration), or construction of facilities for the Department of the Army at Fort Belvoir or at any other site or sites designated by the Secretary.

(3) If in-kind consideration under paragraph (1) includes the construction of facilities, the grantee shall also convey to the United States—

(A) title to such facilities, free of all liens and other encumbrances; and

(B) if the United States does not have fee simple title to the land underlying such facilities, convey to the United States all right, title, and interest in and to such lands not held by the United States.

(4) The Secretary shall deposit any cash received as consideration under this subsection in the special account established pursuant to section 204(h) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(h)).

(d) **REPEAL OF SUPERSEDED AUTHORITY.**—Section 2821 of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101-189; 103 Stat. 1658), as amended by section 2854 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104-106; 110 Stat. 568), is repealed.

(e) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under subsections (a) and (b) shall be determined by surveys satisfactory to the Secretary. The cost of each such survey shall be borne by the grantee.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional

terms and conditions in connection with the conveyances under subsections (a) and (b) as the Secretary considers appropriate to protect the interests of the United States.

SA 4023. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2829. MASTER PLAN FOR USE OF NAVY ANNEX, ARLINGTON, VIRGINIA.

(a) **REPEAL OF COMMISSION ON NATIONAL MILITARY MUSEUM.**—Title XXIX of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 880; 10 U.S.C. 111 note) is repealed.

(b) **MODIFICATION OF AUTHORITY FOR TRANSFER FROM NAVY ANNEX.**—Section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 879) is amended—

(1) in subsection (b)(2), as amended by section 2863(f) of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115 Stat. 1332), by striking “as a site—” and all that follows and inserting “as a site for such other memorials or museums that the Secretary considers compatible with Arlington National Cemetery and the Air Force Memorial.”; and

(2) in subsection (d)—

(A) in paragraph (2), by striking “the recommendation (if any) of the Commission on the National Military Museum to use a portion of the Navy Annex property as the site for the National Military Museum”, and inserting “the use of the acres reserved under (b)(2) as a memorial or museum”; and

(B) in paragraph (4), by striking “the date on which the Commission on the National Military Museum submits to Congress its report under section 2903” and inserting “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2003”.

(c) **CONSTRUCTION OF AMENDMENTS.**—The amendments made by subsections (a) and (b) may not be construed to delay the establishment of the United States Air Force Memorial authorized by section 2863 of the Military Construction Authorization Act for Fiscal Year 2002 (115 Stat. 1330).

SA 4024. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 346. ENGINEERING STUDY AND ENVIRONMENTAL ANALYSIS OF ROAD MODIFICATIONS IN VICINITY OF FORT BELVOIR, VIRGINIA.

(a) **STUDY AND ANALYSIS.**—(1) The Secretary of the Army shall conduct a preliminary engineering study and environmental

analysis to evaluate the feasibility of establishing a connector road between Richmond Highway (United States Route 1) and Telegraph Road in order to provide an alternative to Beulah Road (State Route 613) and Woodlawn Road (State Route 618) at Fort Belvoir, Virginia, which were closed as a force protection measure.

(2) It is the sense of Congress that the study and analysis should consider as one alternative the extension of Old Mill Road between Richmond Highway and Telegraph Road.

(b) **CONSULTATION.**—The study required by subsection (a) shall be conducted in consultation with the Department of Transportation of the Commonwealth of Virginia and Fairfax County, Virginia.

(c) **REPORT.**—The Secretary shall submit to Congress a summary report on the study and analysis required by subsection (a). The summary report shall be submitted together with the budget justification materials in support of the budget of the President for fiscal year 2006 that is submitted to Congress under section 1105(a) of title 31, United States Code.

(d) **FUNDING.**—Of the amount authorized to be appropriated by section 301(a)(1) for the Army for operation and maintenance, \$5,000,000 shall be available for the study and analysis required by subsection (a).

SA 4025. Ms. COLLINS submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title 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 \$5,000,000, 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), \$5,000,000 shall 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 104 for procurement for defense-wide activities is hereby reduced by \$5,000,000, with the amount of the reduction to be allocated to Global Information Grid.

SA 4026. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, strike line 14 and insert the following:

SEC. 121. EXTENSION OF MULTIYEAR PROCUREMENT AUTHORITY FOR DDG-51 CLASS DESTROYERS.

Section 122(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2446), as amended by section 122 of Public Law 106-65 (113 Stat. 534) and section 122(a) 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-24), is further amended by striking “October 1, 2005” in the first sentence and inserting “October 1, 2007”.

SA 4027. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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.

SA 4028. Mr. ALLARD (for himself, Mr. REED, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 905. VETERINARY CORPS OF THE ARMY.

(a) **COMPOSITION AND ADMINISTRATION.**—(1) Chapter 307 of title 10, United States Code, is amended by inserting after section 3070 the following new section 3071:

“§ 3071. Veterinary Corps: composition; Chief and assistant chief; appointment; grade

“(a) COMPOSITION.—The Veterinary Corps consists of the Chief and assistant chief of that corps and other officers in grades prescribed by the Secretary of the Army.

“(b) CHIEF.—The Secretary of the Army shall appoint the Chief from the officers of the Regular Army in that corps whose regular grade is above lieutenant colonel and who are recommended by the Surgeon General. An appointee who holds a lower regular grade may be appointed in the regular grade of brigadier general. The Chief serves during the pleasure of the Secretary, but not for more than four years, and may not be reappointed to the same position.

“(c) ASSISTANT CHIEF.—The Surgeon General shall appoint the assistant chief from the officers of the Regular Army in that corps whose regular grade is above lieutenant colonel. The assistant chief serves during the pleasure of the Surgeon General, but not for more than four years and may not be reappointed to the same position.”.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3070 the following new item:

“3071. Veterinary Corps: composition; Chief and assistant chief; appointment; grade.”.

(b) EFFECTIVE DATE.—Section 3071 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2002.

SA 4029. Mr. REED (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 226. REPORTS ON FLIGHT TESTING OF GROUND-BASED MIDCOURSE NATIONAL MISSILE DEFENSE SYSTEM.

(a) REQUIREMENT.—The Director of the United States Missile Defense Agency shall submit to the congressional defense committees a report on each flight test of the Ground-based Midcourse national missile defense system. The report shall be submitted not later than 90 days after the date of the test.

(b) CONTENT.—A report on a flight test under subsection (a) shall include the following matters:

(1) A detailed discussion of the content and objectives of the test.

(2) For each test objective, a statement regarding whether the objective was achieved.

(3) For any test objective not achieved—

(A) a detailed discussion describing the reasons for not achieving the objective; and
(B) a discussion of any plans for future tests to achieve the objective.

(c) FORMAT.—The reports required under subsection (a) shall be submitted in unclassified form, with a classified annex as necessary.

SA 4030. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3165. ELIGIBILITY FOR BENEFITS UNDER ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000 OF DEPARTMENT OF ENERGY AND CONTRACTOR EMPLOYEES WITH MERCURY POISONING RELATING TO ATOMIC WEAPONS.

(a) ELIGIBILITY.—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 into law by Public Law 106-398; 42 U.S.C. 7384 et seq.), is amended by adding inserting section 3627 the following new section:

“SEC. 3627A. MERCURY POISONING RELATING TO ATOMIC WEAPONS.

“(a) IN GENERAL.—A Department of Energy employee, or Department of Energy contractor employee, who was exposed to mercury in the performance of duty and who experienced mercury poisoning shall be treated as a covered employee with an occupational illness consisting of mercury poisoning for purposes of benefits under this subtitle.

“(b) EXPOSURE TO MERCURY IN THE PERFORMANCE OF DUTY.—An employee referred to in subsection (a) shall, in the absence of substantial evidence to the contrary, be determined to have been exposed to mercury in the performance of duty if, and only if, while employed at Department of Energy facilities associated with the design, production, or testing of atomic weapons, or clean-up operations related thereto, the employee was present in a Department of Energy facility that—

“(1) contained more than 100 kilograms of mercury; and

“(2) did not confine mercury operations to work spaces with effective and dedicated ventilation systems for the removal of airborne toxic substances.

“(c) MERCURY POISONING.—(1) An employee referred to in subsection (a) shall be treated as having experienced mercury poisoning if the employee manifests a physical, psychological, or neurological illness consistent with mercury poisoning.

“(2) The Secretary of Labor shall rely on evaluations, tests, or other medical information obtained pursuant to section 3162 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2646; 42 U.S.C. 7274i), or any other mechanism established by the Secretary of Labor, in evaluating whether an illness referred to in paragraph (1) is consistent with mercury poisoning.”.

(b) CONFORMING AMENDMENT.—Section 3621(1) of that Act (42 U.S.C. 7384l(1)) is amended by adding at the end the following new subparagraph:

“(D) To the extent provided in section 3627A, a Department of Energy employee, or Department of Energy contractor employee, who was exposed to mercury in the performance of duty and who experienced mercury poisoning.”.

SA 4031. Mr. FRIST (for himself and Mr. THOMPSON) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In section 301(a)(1), decrease the amount indicated by \$2,400,000.

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

In section 301(a)(4), decrease the amount indicated by \$3,000,000.

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

SA 4032. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1065. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 1606(a)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1278), is amended—

(1) by striking “Each State shall” and inserting “(a) ELECTIONS FOR FEDERAL OFFICES.—Each State shall”; and

(2) by adding at the end the following:

“(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

“(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and runoff elections for State and local offices; and

“(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.”.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking “FOR FEDERAL OFFICE”.

SA 4033. Mr. CLELAND (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 91, strike lines 1 through 4, and insert the following:

- (1) The Army, 485,000.
- (2) The Navy, 379,200.
- (3) The Marine Corps, 175,000.
- (4) The Air Force, 362,500.

SA 4034. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for

military activities of the Department of Defense, for military construction, and for defense activities of Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 405. SENSE OF CONGRESS FOR FOLLOW-ON FISCAL YEAR END STRENGTHS.

It is the sense of Congress that the authorized end strength for active duty personnel for each of the Army, Navy, and Air Force should increase in each successive fiscal year (over the authorized end strength for the preceding fiscal year) as follows:

- (1) For the Army:
 - (A) For fiscal year 2004, by 5,000.
 - (B) For fiscal year 2005, by 5,000.
 - (C) For fiscal year 2006, by 5,000.
 - (D) For fiscal year 2007, by 5,000.
- (2) For the Navy, for fiscal year 2004, by 1,000.
- (3) For the Air Force:
 - (A) For fiscal year 2004, by 2,500.
 - (B) For fiscal year 2005, by 2,000.

SA 4035. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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 March 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.

SA 4036. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In 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".

SA 4037. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title 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).

SA 4038. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In section 301(a)(2), decrease the amount by \$3,580,000.

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

SA 4039. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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 shall 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.

SA 4040. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title 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.

SA 4041. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title 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 (Serviceable Support).

SA 4042. Mr. BIDEN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 346. EXTENSION OF WORK SAFETY DEMONSTRATION PROGRAM.

Section 1112 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-313) is amended—

(1) in subsection (d), by striking "September 30, 2002" and inserting "September 30, 2003"; and

(2) in subsection (e)(2), by striking "December 1, 2002" and inserting "December 1, 2003".

SA 4043. Mr. BIDEN (for himself and Mr. CARPER) submitted an amendment

intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title 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 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.

SA 4044. Mr. JEFFORDS (for himself, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. 554. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC AND SMALL ARMS COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) **ATHLETIC AND SMALL ARMS COMPETITIONS.**—Section 504 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) **CONDUCT OF AND PARTICIPATION IN CERTAIN COMPETITIONS.**—(1) Under regulations prescribed by the Secretary of Defense, members and units of the National Guard may conduct and compete in a qualifying athletic competition or a small arms competition so long as—

“(A) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

“(B) National Guard personnel will enhance their military skills as a result of conducting or participating in the competition; and

“(C) the conduct of or participation in the competition will not result in a significant increase in National Guard costs.

“(2) Facilities and equipment of the National Guard, including military property and vehicles described in section 508(c) of this title, may be used in connection with the conduct of or participation in a qualifying athletic competition or a small arms competition under paragraph (1).”

(b) **OTHER MATTERS.**—Such section is further amended by adding after subsection (c), as added by subsection (a) of this section, the following new subsections:

“(d) **AVAILABILITY OF FUNDS.**—(1) Subject to paragraph (2) and such limitations as may be enacted in appropriations Acts and such regulations as the Secretary of Defense may prescribe, amounts appropriated for the National Guard may be used to cover—

“(A) the costs of conducting or participating in a qualifying athletic competition or a small arms competition under subsection (c); and

“(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

“(2) Not more than \$2,500,000 may be obligated or expended in any fiscal year under subsection (c).

“(e) **QUALIFYING ATHLETIC COMPETITION DEFINED.**—In this section, the term ‘qualifying athletic competition’ means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.”

(c) **STYLISTIC AMENDMENTS.**—Such section is further amended—

(1) in subsection (a), by inserting “AUTHORIZED ACTIVITIES.” after “(a)”; and

(2) in subsection (b), by inserting “AUTHORIZED LOCATIONS.” after “(b)”.

(d) **CONFORMING AND CLERICAL AMENDMENTS.**—(1) Subsection (a) of such section is amended—

(A) in paragraph (1), by inserting “and” after the semicolon;

(B) in paragraph (2), by striking “; or” and inserting a period; and

(C) by striking paragraph (3).

(2) The heading of such section is amended to read as follows:

“§ 504. National Guard schools; small arms competitions; athletic competitions”.

(3) The item relating to section 504 in the table of sections at the beginning of chapter 5 of title 32, United States Code, is amended to read as follows:

“504. National Guard schools; small arms competitions; athletic competitions.”

SA 4045. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

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

SA. 4046. Mr. LEVIN proposed an amendment to amendment SA 4007 proposed by Mr. WARNER (for himself, Mr. MILLER, Mr. LOTT, Mr. STEVENS, Mr. COCHRAN, Mr. ALLARD, Mr. KYL, Mr. SMITH of New Hampshire, Mr. INHOFE, Mr. THURMOND, Mr. SESSIONS, Mr. ROBERTS, Mr. HUTCHINSON, Mr. BUNNING, Mr. HELMS, Mr. MCCAIN, Mr. NICKLES, Mr. HAGEL, and Mrs. HUTCHISON) to the bill (S. 2514) to authorize appropri-

tions for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 3, strike subsection (c) and insert the following:

“(c) **PRIORITY FOR ALLOCATING FUNDS.**—In the expenditure of additional funds made available by a lower rate of inflation, the top priority shall be the use of such funds for Department of Defense activities for protecting the American people at home and abroad by combating terrorism at home and abroad.”

SA 4047. Mr. THOMPSON submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 256, before line 3, insert the following:

(c) **DEFERRAL OF EXPIRATION DATE.**—Section 3536 to title 44, United States Code, is amended by striking “the date that is two years after the date on which this subchapter takes effect” and inserting “December 31, 2004”.

SA 4048. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 8, insert the following:

(c) **REPORTS ON FISCAL YEAR 2003 FLIGHT TESTING OF GROUND-BASED MIDCOURSE NATIONAL MISSILE DEFENSE SYSTEM.**

(1) **REQUIREMENT.**—The Director of the United States Missile Defense Agency shall submit to the congressional defense committees a report on each flight test of the Ground-based Midcourse national missile defense system (for fiscal year 2003). The report shall be submitted not later than 90 days after the date of the test.

(2) **CONTENT.**—A report on a flight test under subsection (a) shall include the following matters:

(a) A detailed discussion of the content and objectives of the test.

(b) For each test objective, a statement regarding whether the objective was achieved.

(c) For any test objective not achieved—

(1) a detailed discussion describing the reasons for not achieving the objective; and

(2) a discussion of any plans for future tests to achieve the objective.

(3) **FORMAT.**—The reports required under subsection (1) shall be submitted in unclassified form, with a classified annex as necessary:

SA 4049. Mr. ENZI submitted an amendment intended to be proposed by

him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

For Air Force research and development of the Slender Hypervelocity Aerothermodynamic Research Probes (SHARP) spaceplane, there shall be made available \$100,000 through aerospace materials manufacturing and research by the U.S. Department of the Air Force.

SA 4050. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

For military construction for an Aerial Port Complex for the Wyoming Air National Guard, there shall be made available \$6,000,000 through Section 2601 of title XXVI.

SA 4051. Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mrs. CLINTON, Mr. CORZINE, Mr. SCHUMER, Mr. DODD, and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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.

SA 4052. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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.

SA 4053. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 708. MEDICARE+CHOICE DEMONSTRATION PROJECT FOR MILITARY RETIREES.

Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended by adding at the end the following new section:

“MEDICARE+CHOICE DEMONSTRATION PROJECT FOR MILITARY RETIREES

“SEC. 1897. (a) DEFINITIONS.—In this section:

“(1) ACCRUAL FUND.—The term ‘accrual fund’ means the Department of Defense

Medicare-Eligible Retiree Health Care Fund established under section 1111 of title 10, United States Code.

“(2) ADMINISTERING SECRETARIES.—The term ‘administering Secretaries’ means the Secretary and the Secretary of Defense acting jointly.

“(3) DEMONSTRATION PROJECT; PROJECT.—The terms ‘demonstration project’ and ‘project’ mean the demonstration project carried out under this section.

“(4) MEDICARE-ELIGIBLE MILITARY RETIREE OR DEPENDENT.—The term ‘medicare-eligible military retiree or dependent’ means an individual described in section 1086(c) of title 10, United States Code, who is a Medicare+Choice eligible individual (as defined in section 1851(a)(3)).

“(5) MEDICARE+CHOICE ORGANIZATION; MEDICARE+CHOICE PLAN.—The terms ‘Medicare+Choice organization’ and ‘Medicare+Choice plan’ have the meanings given such terms in subsections (a)(1) and (b)(1), respectively, of section 1859.

“(6) MILITARY TREATMENT FACILITY.—The term ‘military treatment facility’ means a facility referred to in section 1074(a) of title 10, United States Code.

“(7) TRICARE.—The term ‘TRICARE’ has the same meaning as the term ‘TRICARE program’ under section 1072(7) of title 10, United States Code.

“(b) DEMONSTRATION PROJECT.—

“(1) ESTABLISHMENT.—The administering Secretaries are authorized to establish a demonstration project (under an agreement entered into by the administering Secretaries) under which—

“(A) Medicare+Choice organizations may offer Medicare+Choice plans (in an area designated under paragraph (2)) that restrict the enrollment of individuals under this part to medicare-eligible military retirees or dependents residing in the area;

“(B) medicare-eligible military retirees or dependents may voluntarily enroll in such plans; and

“(C) such organizations may enter into an agreement with the Secretary of Defense under which—

“(i) individuals enrolled in such plans may be referred to military treatment facilities in the area in order to obtain items and services from such facilities; and

“(ii) such organizations reimburse the military treatment facilities for the furnishing of such items and services to such individuals.

“(2) AGREEMENT BETWEEN MEDICARE+CHOICE ORGANIZATION AND SECRETARY OF DEFENSE.—An agreement entered into between the Medicare+Choice organization offering the Medicare+Choice plan that is participating in the demonstration project in an area and the Secretary of Defense pursuant to paragraph (1)(B) shall include at a minimum a description of—

“(A) the items and services that military treatment facilities in the area will be available to provide to medicare-eligible military retirees or dependents enrolled in the plan;

“(B) how and at what levels the organization will provided reimbursement to the military treatment facilities for items and services furnished to medicare-eligible military retirees or dependents enrolled in the plan;

“(C) how the organization will determine whether an individual is a medicare-eligible military retiree or dependent; and

“(D) cost-sharing requirements for medicare-eligible military retirees or dependents with respect to items and services furnished by a military treatment facility.

“(3) SITES.—

“(A) IN GENERAL.—The administering Secretaries may designate up to 6 metropolitan

areas in which to conduct the demonstration project.

“(B) REQUIREMENT.—The administering Secretaries may not designate an area under subparagraph (A) unless—

“(i) at least 10,000 medicare-eligible military retirees or dependents reside in the area; and

“(ii) a sufficient number of military treatment facilities are located in the area.

“(4) DURATION.—The authority of the administering Secretaries to conduct the demonstration project shall terminate on January 1, 2007.

“(C) CREDITING OF PAYMENTS TO ACCRUAL FUND.—A payment received by a military treatment facility from a Medicare+Choice organization under the demonstration project shall be credited to the accrual fund. Amounts credited to the accrual fund shall be merged with the other sums in such fund and shall be available until expended for the same purposes as such sums are available under section 1113 of title 10, United States Code.

“(d) RULES RELATING TO MAINTENANCE OF EFFORT LEVEL UNDER THE ACCRUAL FUND.—

“(1) MEDICARE+CHOICE PAYMENTS TO BE MADE REGARDLESS OF WHETHER MAINTENANCE OF EFFORT LEVEL REACHED FOR THE YEAR UNDER THE ACCRUAL FUND.—Payments by a Medicare+Choice organization to a military treatment facility pursuant to an agreement under the demonstration project shall be made regardless of whether the facility has reached the maintenance of effort level required of the facility for the year under the accrual fund.

“(2) EXPENSES INCURRED BY MILITARY TREATMENT FACILITY COUNT TOWARD MAINTENANCE OF EFFORT LEVEL FOR THE YEAR AND REIMBURSABLE EXPENSES UNDER THE ACCRUAL FUND.—Expenses incurred by a military treatment facility in providing items and services to medicare-eligible military retirees or dependents shall count toward reaching the maintenance of effort level required of the facility for the year under the accrual fund, and for purposes of determining reimbursable expenses under such fund, regardless of the fact that the facility has been reimbursed by a Medicare+Choice organization for part or all of such expenses pursuant to an agreement under the demonstration project.

“(e) WAIVER AUTHORITY.—The Secretary may waive such requirements of title XI and this title as may be necessary for the purpose of carrying out the demonstration project.

“(f) VOLUNTARY PARTICIPATION.—Participation of Medicare+Choice organizations, military treatment facilities, and medicare-eligible military retirees or dependents in the demonstration project shall be voluntary.

“(g) MODIFICATION OF TRICARE CONTRACTS.—In carrying out the demonstration project, the Secretary of Defense is authorized to amend existing TRICARE contracts (including contracts with designated providers) in order to provide the items and services described in subsection (b)(2)(A) to medicare-eligible military retirees or dependents enrolled in a Medicare+Choice plan participating in the demonstration project.

“(h) ANNUAL REPORTS.—Not later than 30 days after the date on which 1 full year of data is available for analysis of the demonstration project, and annually thereafter until the conclusion of the project, the administering Secretaries shall submit a report on the project to the committees of jurisdiction in the Congress.”.

SA 5054. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 2514, authorize appro-

priations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the 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 weapons 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.

SA 4055. Mr. THOMPSON submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table, as follows:

At the end of division A, add the following:

TITLE XIII—FEDERAL EMERGENCY PROCUREMENT FLEXIBILITY

Subtitle A—Certain Fiscal Year 2003 and 2004 Procurements

SEC. 1301. PROCUREMENTS FOR DEFENSE AGAINST OR RECOVERY FROM TERRORISM OR NUCLEAR, BIOLOGICAL, CHEMICAL, OR RADIOLOGICAL ATTACK.

The authorities provided in this subtitle apply to any fiscal year 2003 or 2004 procure-

ment of property or services by or for an executive agency that, as determined by the head of the executive agency, are to be used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.

SEC. 1302. INCREASED SIMPLIFIED ACQUISITION THRESHOLD FOR PROCUREMENTS IN SUPPORT OF HUMANITARIAN OR PEACEKEEPING OPERATIONS OR CONTINGENCY OPERATIONS.

(a) FISCAL YEAR 2003 AND 2004 THRESHOLD AMOUNTS.—For a procurement referred to in section 1301 that is carried out in support of a humanitarian or peacekeeping operation or a contingency operation, the simplified acquisition threshold definitions shall be applied as if the amount determined under the exception provided for such an operation in those definitions were—

(1) in the case of a contract to be awarded and performed, or purchase to be made, inside the United States, \$250,000; or

(2) in the case of a contract to be awarded and performed, or purchase to be made, outside the United States, \$500,000.

(b) SIMPLIFIED ACQUISITION THRESHOLD DEFINITIONS.—In this section, the term “simplified acquisition threshold definitions” means the following:

(1) Section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).

(2) Section 309(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(d)).

(3) Section 2302(7) of title 10, United States Code.

(c) SMALL BUSINESS RESERVE FOR FISCAL YEAR 2003 AND 2004.—For a procurement carried out pursuant to subsection (a), section 15(j) of the Small Business Act (15 U.S.C. 644(j)) shall be applied as if the maximum anticipated value identified therein is equal to the amounts referred to in subsection (a).

SEC. 1303. INCREASED MICRO-PURCHASE THRESHOLD FOR CERTAIN PROCUREMENTS.

In the administration of section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428) with respect to a procurement referred to in section 1301, the amount specified in subsections (c), (d), and (f) of such section 32 shall be deemed to be \$15,000.

SEC. 1304. APPLICATION OF CERTAIN COMMERCIAL ITEMS AUTHORITIES TO CERTAIN PROCUREMENTS.

(a) AUTHORITY.—

(1) IN GENERAL.—The head of an executive agency may apply the provisions of law listed in paragraph (2) to a procurement referred to in section 1301 without regard to whether the property or services are commercial items.

(2) COMMERCIAL ITEM LAWS.—The provisions of law referred to in paragraph (1) are as follows:

(A) Sections 31 and 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 427, 430).

(B) Section 2304(g) of title 10, United States Code.

(C) Section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)).

(b) INAPPLICABILITY OF LIMITATION ON USE OF SIMPLIFIED ACQUISITION PROCEDURES.—

(1) IN GENERAL.—The \$5,000,000 limitation provided in section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2)), section 2304(g)(1)(B) of title 10, United States Code, and section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B)) shall not apply to purchases of property or services to which any of the provisions of law referred to in subsection (a) are applied under the authority of this section.

(2) OMB GUIDANCE.—The Director of the Office of Management and Budget shall issue guidance and procedures for the use of simplified acquisition procedures for a purchase of property or services in excess of \$5,000,000 under the authority of this section.

(c) CONTINUATION OF AUTHORITY FOR SIMPLIFIED PURCHASE PROCEDURES.—Authority under a provision of law referred to in subsection (a)(2) that expires under section 4202(e) of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104-106; 10 U.S.C. 2304 note) shall, notwithstanding such section, continue to apply for use by the head of an executive agency as provided in subsections (a) and (b).

SEC. 1305. USE OF STREAMLINED PROCEDURES.

(a) REQUIRED USE.—The head of an executive agency shall, when appropriate, use streamlined acquisition authorities and procedures authorized by law for a procurement referred to in section 1301, including authorities and procedures that are provided under the following provisions of law:

(1) FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949.—In title III of the Federal Property and Administrative Services Act of 1949:

(A) Paragraphs (1), (2), (6), and (7) of subsection (c) of section 303 (41 U.S.C. 253), relating to use of procedures other than competitive procedures under certain circumstances (subject to subsection (e) of such section).

(B) Section 303J (41 U.S.C. 253j), relating to orders under task and delivery order contracts.

(2) TITLE 10, UNITED STATES CODE.—In chapter 137 of title 10, United States Code:

(A) Paragraphs (1), (2), (6), and (7) of subsection (c) of section 2304, relating to use of procedures other than competitive procedures under certain circumstances (subject to subsection (e) of such section).

(B) Section 2304c, relating to orders under task and delivery order contracts.

(3) OFFICE OF FEDERAL PROCUREMENT POLICY ACT.—Paragraphs (1)(B), (1)(D), and (2) of section 18(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(c)), relating to inapplicability of a requirement for procurement notice.

(b) WAIVER OF CERTAIN SMALL BUSINESS THRESHOLD REQUIREMENTS.—Subclause (II) of section 8(a)(1)(D)(i) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)) and clause (ii) of section 31(b)(2)(A) of such Act (15 U.S.C. 657a(b)(2)(A)) shall not apply in the use of streamlined acquisition authorities and procedures referred to in paragraphs (1)(A) and (2)(A) of subsection (a) for a procurement referred to in section 101.

SEC. 1306. REVIEW AND REPORT BY COMPTROLLER GENERAL.

(a) REQUIREMENTS.—Not later than March 31, 2005, the Comptroller General shall—

(1) complete a review of the extent to which procurements of property and services have been made in accordance with this subtitle; and

(2) submit a report on the results of the review to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

(b) CONTENT OF REPORT.—The report under subsection (a)(2) shall include the following matters:

(1) ASSESSMENT.—The Comptroller General's assessment of the extent to which property and services procured in accordance with this title have contributed to the capacity of the workforce of Federal Government employees within each executive agency to carry out the mission of the executive agency, and the extent to which Federal Government employees have been trained on the use of those technologies.

(2) RECOMMENDATIONS.—Any recommendations of the Comptroller General resulting from the assessment described in paragraph (1).

(c) CONSULTATION.—In preparing for the review under subsection (a)(1), the Comptroller General shall consult with the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives on the specific issues and topics to be reviewed. The extent of coverage needed in areas such as technology integration, employee training, and human capital management, as well as the data requirements of the study, shall be included as part of this consultation.

Subtitle B—Research and Development

SEC. 1321. CERTAIN RESEARCH AND DEVELOPMENT BY CIVILIAN AGENCIES.

(a) AUTHORITY.—Title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) is amended by adding at the end the following new section:

“SEC. 317. RESEARCH AND DEVELOPMENT TO FACILITATE DEFENSE AGAINST OR RECOVERY FROM TERRORISM OR NUCLEAR, BIOLOGICAL, CHEMICAL, OR RADIOLOGICAL ATTACK.

“(a) AUTHORITY.—

“(1) IN GENERAL.—The head of an executive agency may engage in basic research, applied research, advanced research, and development projects that—

“(A) are necessary to the responsibilities of such official's executive agency in the field of research and development; and

“(B) have the potential to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.

“(2) AUTHORIZED MEANS.—To engage in projects authorized under paragraph (1), the head of an executive agency may exercise the same authority (subject to the same restrictions and conditions) as the Secretary of Defense may exercise under sections 2358 and 2371 of title 10, United States Code, except for subsections (b), (f), and (g) of such section 2371.

“(3) APPLICABILITY TO SELECTED EXECUTIVE AGENCIES.—The head of an executive agency may exercise authority under this subsection only if authorized by the Director of the Office of Management and Budget to do so.

“(b) ANNUAL REPORT.—The annual report of the head of an executive agency that is required under subsection (h) of section 2371 of title 10, United States Code, as applied to the head of an executive agency by subsection (a), shall be submitted to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

“(c) REGULATIONS.—The Director of the Office of Management and Budget shall prescribe regulations to carry out this section.”

(b) CLERICAL AMENDMENT.—The table of sections in section 1(b) of such Act is amended by inserting after the item relating to section 316 the following new item:

“Sec. 317. Research and development to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.”

SEC. 1322. TEMPORARY AUTHORITY FOR CARRYING OUT CERTAIN PROTOTYPE PROJECTS.

(a) IN GENERAL.—The head of an executive agency designated by the Director of the Office of Management and Budget to do so may, under the authority of section 317 of the Federal Property and Administrative Services Act of 1949 (as added by section 1321), carry out prototype projects that meet the requirements of subparagraphs (A) and

(B) of subsection (a)(1) of such section in accordance with the same requirements and conditions as are provided for carrying out prototype projects under section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2371 note).

(b) CONFORMING AUTHORITY.—In the application of the requirements and conditions of section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2371 note) to the administration of authority under subsection (a)—

(1) subsection (c) of such section shall apply with respect to prototype projects carried out under this subsection; and

(2) the Director of the Office of Management and Budget shall perform the function of the Secretary of Defense under subsection (d) of such section.

Subtitle C—Other matters

SEC. 1331. IDENTIFICATION OF NEW ENTRANTS INTO THE FEDERAL MARKETPLACE.

The head of each executive agency shall conduct market research on an ongoing basis to identify effectively the capabilities, including the capabilities of small businesses and new entrants into Federal contracting, that are available in the marketplace for meeting the requirements of the executive agency in furtherance of defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack. The head of the executive agency shall, to the maximum extent practicable, take advantage of commercially available market research methods, including use of commercial databases, to carry out the research.

SA 4056. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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.”.

SA 4057. Mr. CORZINE (for himself and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, which was ordered to lie on the table; as follows:

On page 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.

SA 4058. Mr. CORZINE (for himself and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, which was ordered to lie on the table; as follows:

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

SEC. 1035. REPORT ON EFFECT OF CONTRACT AWARD FOR NEXT GENERATION DESTROYER (DD(X)) ON SURFACE COMBATANT INDUSTRIAL BASE.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the impact of the recently-announced contract award for the next generation destroyer (DD(X)) on the technology and industrial base for ship combat systems, including systems integration, radar, electronic warfare, launch systems, and other components.

(b) REPORT REQUIRED.—Not later than March 31, 2003, the Secretary shall submit to the congressional defense committees a report on the review conducted under subsection (a). The report shall include—

(1) an assessment of the impact of the contract award for the next generation destroyer (DD(X)) on the technology and industrial base for ship combat systems; and

(2) a description of the actions required to be undertaken to ensure future competition in the development and production of technologies for the array of combat systems of future surface ships, including the next generation cruiser (CG(X)), the littoral combat ship (LCS), and the joint command ship (JCC(X)).

SA 4059. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 214. VERY HIGH SPEED, COMPOSITE CONSTRUCTION RIGID CATAMARAN 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 shall be available for development 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.

SA 4060. Mr. WYDEN (for himself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1010. AVAILABILITY OF AMOUNTS FOR OREGON ARMY NATIONAL GUARD FOR SEARCH AND RESCUE AND MEDICAL EVACUATION MISSIONS IN ADVERSE WEATHER CONDITIONS.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR ARMY PROCUREMENT.—The amount authorized to be appropriated by section 101(1) for procurement for the Army for aircraft is hereby increased by \$3,000,000.

(b) AVAILABILITY.—Of the amount authorized to be appropriated by section 101(1) for procurement for the Army for aircraft, as increased by subsection (a), \$3,000,000 shall be available for the upgrade of three UH-60L Blackhawk helicopters of the Oregon Army National Guard to the capabilities of UH-60Q Search and Rescue model helicopters, including Star Safire FLIR, Breeze-Eastern External Rescue Hoist, and Air Methods COTS Medical Systems upgrades, in order to improve the utility of such UH-60L Blackhawk helicopters in search and rescue and medical evacuation missions in adverse weather conditions.

(c) INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.—The amount authorized to be appropriated by section 421 for military personnel is hereby increased by \$1,800,000.

(d) AVAILABILITY.—Of the amount authorized to be appropriated by section 421 for military personnel, as increased by subsection (d), \$1,800,000 shall be available for up to 26 additional personnel for the Oregon Army National Guard.

(e) OFFSET.—The amount authorized to be appropriated by section 301(a)(1) for operation and maintenance for the Army is hereby reduced by \$4,800,000, with the amount of the reduction to be allocated to Base Operations Support (Servicewide Support).

SA 4061. Mr. WYDEN (for himself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title 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 shall 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 \$3,000,000, 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.

SA 4062. Mr. BINGAMAN (for himself and Mr. SANTORUM) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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.

SA 4063. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In 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.

SA 4064. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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.”.

SA 4065. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 217, between lines 13 and 14, insert the following:

SEC. 1010. AUTHORIZATION OF APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND SECURITY.

(a) AMOUNT.—There is authorized to be appropriated for fiscal year 2003 for a Department of Homeland Security to be established within the executive branch, \$3,500,000,000 for the programs, projects, and activities of that department.

(b) AVAILABILITY OF AMOUNTS.—The amount authorized to be appropriated by subsection (a) for the Department of Homeland Security shall be allocated in equal proportion among the following:

(1) Border transportation and security.

(2) Emergency preparedness response.

(3) Chemical, radiological, and nuclear countermeasures.

(4) Information analysis and infrastructure protection.

(5) Coordination of activities of State and local governments and the private sector.

(c) **REDUCTION OF AMOUNT FOR BALLISTIC MISSILE DEFENSE.**—The amount authorized to be appropriated under section 201(4) is reduced by \$3,500,000,000, to be derived from the amount provided for ballistic missile defense.

SA 4066. Mr. SCHUMER (for himself, Mrs. CLINTON, and Mrs. CARNAHAN) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 108, between lines 14 and 15, insert the following:

SEC. 533. WAIVER OF TIME LIMITATIONS FOR AWARD OF MEDAL OF HONOR.

(a) **WAIVER.**—Any limitation established by law or policy for the time within which a recommendation for the award of a Medal of Honor must be submitted or the time within which the award must be made shall not apply to the award of the Medal of Honor to Henry Johnson of Albany, New York, for the service described in section 531(b)(1), if the Secretary of the Army determines such action to be warranted in accordance with section 1130 of title 10, United States Code.

(b) **REVIEW BY SECRETARY OF THE ARMY.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army—

(1) shall complete a review of the records of the service referred to in subsection (a) of the said Henry Johnson to determine whether the award of the Medal of Honor to Henry Johnson for such service is warranted; and

(2) if the Secretary determines that the award of the Medal of Honor to Henry Johnson is warranted for such service, shall ensure that—

(A) the appropriate recommendation for the award is prepared and is processed in accordance with section 1130 of title 10, United States Code; and

(B) notice of the Secretary's determination under such section is provided to Congress in accordance with such section.

(c) **RELATIONSHIP TO ELIGIBILITY FOR DISTINGUISHED-SERVICE CROSS.**—The Secretary of the Army shall complete the actions required under this section with respect to the service referred to in subsection (a) before an award of the Distinguished-Service Cross of the Army is made to Henry Johnson for the same service.

SA 4067. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 644. APPLICABILITY OF DISABILITY RETIREMENT AND SEPARATION TO CADETS AND MIDSHIPMEN OF THE SERVICES ACADEMIES.

(a) **IN GENERAL.**—(1) Section 1217 of title 10, United States Code, is amended to read as follows:

“§ 1217. Cadets and midshipmen

“(a) **ELIGIBILITY BASED ON SERVICE AS ACADEMY CADET OR MIDSHIPMAN.**—For the purposes of this chapter, service as a cadet at the United States Military Academy or the United States Air Force Academy under chapter 304 or 903 of this title, respectively, or at the Coast Guard Academy under chapter 9 of title 14, or as a midshipman at the United States Naval Academy under chapter 603 of this title, shall be treated as being service for which the cadet or midshipman is entitled to basic pay.

“(b) **COMPUTATION OF BENEFIT.**—In the case of a person who, during service as a cadet or midshipman described in subsection (a), is retired, placed on the temporary disability retired list, or separated under section 1201, 1202, or 1203, respectively, of this title, the amount paid the person as cadet or midshipman pay under section 203(c) of title 37 shall be treated as being the amount of monthly basic pay to which the person is entitled for the following purposes:

“(1) The computation of monthly retired pay under chapter 71 of this title.

“(2) The computation of severance pay under section 1212 of this title.

(2) The item relating to such section in the table of sections at the beginning of chapter 61 of such title is amended to read as follows: “1217. Cadets and midshipmen.”

(b) **EFFECTIVE DATE AND APPLICABILITY.**—Section 1217 of title 10, United States Code, as amended by subsection (a), shall take effect on the date of the enactment of this Act and shall apply in cases of disability incurred on or after that date, including any case of a disability that results from an aggravation, on or after such date, of a disease or injury that was contracted or incurred, respectively, before such date while in service described in subsection (a) of such section.

SA 4068. Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1046. FACILITY FOR PRODUCTION OF VACCINES FOR AGENTS IN BIOLOGICAL WEAPONS.

(a) **CONSTRUCTION OF FACILITY REQUIRED.**—The Secretary of Defense shall, using amount authorized to be appropriated by this Act, construct a facility for the production of vaccines for agents known or anticipated to be used in biological weapons.

(b) **LOCATION.**—The facility required by subsection (a) shall be constructed at Pine Bluff Arsenal, Arkansas.

(c) **OPERATION.**—The Secretary shall provide for the operation of the facility constructed under subsection (a) as a government-owned, contractor-operated facility.

SA 4069. Mr. HUTCHINSON (for himself, Ms. MIKULSKI, Mrs. HUTCHISON,

Mrs. LINCOLN, and Mr. SARBANES) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1065. ACQUISITION OF VACCINES NECESSARY FOR THE DEPARTMENT OF DEFENSE.

(a) **REQUIREMENTS TO CONSTRUCT AND OPERATE PRODUCTION FACILITY.**—Subsection (c)(1) of section 1044 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1220) is amended by striking “the Secretary of Defense may—” and inserting “the Secretary of Defense shall (subject to subsection (g))—”.

(b) **CONTINGENT WAIVER AUTHORITY.**—Such section is further amended by adding at the end the following new subsection:

“(g) **CONTINGENT WAIVER AUTHORITY FOR PRODUCTION FACILITY REQUIREMENTS.**—(1) Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2003, the Chairman of the Joint Chiefs of Staff shall transmit to the Committees on Armed Services of the Senate and the House of Representatives a certification of what military needs exist for material solutions, including increased supplies of effective vaccines, to protect against the use of biological warfare agents against members of the Armed Forces in combat zones or other areas of military operations.

“(2) The Secretary of Defense may waive the requirements of subsection (c) if, within 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2003, the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a certification that the Secretary is carrying out a strategy that meets the needs certified under paragraph (1).”

SA 4070. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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.”.

SA 4071. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 905. DESIGNATION OF ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND HOMELAND DEFENSE.

(a) IN GENERAL.—The position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict is hereby redesignated as the Assistant Secretary of Defense for Special Operations and Homeland Defense. Any reference in any law of the United States to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall be deemed to refer to the Assistant Secretary of Defense for Special Operations and Homeland Defense.

(b) CONFORMING AMENDMENTS.—Paragraphs (4) and (6)(C) of section 138(b) of title 10, United States Code, are amended—

(1) by striking “Assistant Secretary of Defense for Special Operations and Low Intensity Conflict” each place it appears and inserting “Assistant Secretary of Defense for

Special Operations and Homeland Defense”;

(2) by striking “his principal duty” in the second sentence and inserting “a principal duty”.

SA 4072. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 905. DESIGNATION OF ASSISTANT SECRETARY OF DEFENSE FOR HOMELAND DEFENSE.

(a) IN GENERAL.—The position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict is hereby redesignated as the Assistant Secretary of Defense for Homeland Defense. Any reference in any law of the United States to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall be deemed to refer to the Assistant Secretary of Defense for Homeland Defense.

(b) CONFORMING AMENDMENTS.—Paragraphs (4) and (6)(C) of section 138(b) of title 10, United States Code, are amended—

(1) by striking “Assistant Secretary of Defense for Special Operations and Low Intensity Conflict” each place it appears and inserting “Assistant Secretary of Defense for Homeland Defense”; and

(2) by striking “his principal duty” in the second sentence and inserting “a principal duty”.

SA 4073. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION.

Section 3631 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384v) is amended—

(1) striking “President” each time that such appears and inserting “Secretary of Labor”; and

(2) by adding at the end the following:

“(d) MEDICAL DOCUMENTATION FOR CLAIMS FOR THOSE EMPLOYED BY BERYLLIUM VENDORS.—

“(1) IN GENERAL.—In order to assist a claimant who was—

“(A) employed by a beryllium vendor (as defined under section 3621(6)); and

“(B) exposed to beryllium as defined under the criteria in section 3623(a);

to establish a claim for a covered beryllium illness under subtitle B, the Secretary of Energy shall provide the claimant a voucher, or shall reimburse the claimant, for the costs of obtaining medical diagnostic tests, including a second opinion, necessary to qualify the claimant for eligibility under subtitle B. The

Secretary of Energy shall provide a voucher or reimbursement under this subsection without regard to whether the claimant is likely ultimately to prevail in a claim for compensation.

“(2) NOTICE AND OUTREACH.—The Secretary of Energy, in cooperation with employee representatives, shall notify and conduct outreach to employees who were employed by beryllium vendors. If there may be more than 200 claimants who were employed by a particular beryllium vendor, the Secretary of Energy shall use, when practicable, a Department of Energy former worker medical screening program that is screening workers and former workers at Department of Energy facilities, under section 3162 of the National Defense Authorization Act for Fiscal Year 1993 (42 U.S.C. 7274i) and under an agreement between the Department of Energy and an employee representative, to provide notification, outreach, and beryllium screening services for employees of that beryllium vendor.

“(3) REGULATIONS.—Not later than 60 days after the date of enactment of this subsection, the Secretary of Energy shall issue regulations to implement this subsection that shall include a list of authorized vendors and specified protocols for use when performing diagnostic tests covered under this subsection.”.

SA 4074. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. . COORDINATION WITH OTHER RADIATION COMPENSATION LAWS.

(a) COORDINATION.—Section 3651 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385J) is amended to read as follows:

“SEC. 3651. COORDINATION WITH OTHER RADIATION COMPENSATION LAWS.

“(a) RESTRICTION.—Except in accordance with section 3630 or subsection (b) of this section, an individual may not receive compensation or benefits under the compensation program for cancer and also receive compensation under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) or section 1112(c) of title 38, United States Code.

“(b) COORDINATION.—A payment of compensation to an individual, or to the survivor of that individual, under subtitle B for cancer is not prohibited by subsection (a) of this section but shall be offset by the amount of any payment made to any person pursuant to sections 4(a)(1)(A)(I)(III) or 4(a)(2)(C) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) on account of that cancer.”

(b) EFFECTIVE DATE.—This section shall take effect upon enactment.

SA 4075. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other

purposes: which was ordered to lie on the table; as follows:

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

SEC. 3165. BENEFITS UNDER ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000 FOR CERTAIN ADDITIONAL CLAIMANTS COMPENSATED UNDER RADIATION EXPOSURE COMPENSATION ACT.

(a) IN GENERAL.—Section 3630 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 into law by Public Law 106-398; 42 U.S.C. 7384u) is amended—

(1) by striking subsections (a) and (b) and inserting the following new subsections:

“(a) COMPENSATION PROVIDED.—An individual who receives, or has received, compensation under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) for a claim under paragraph (1)(A)(i)(III) or (2)(C) of section 4(a) of that Act, or section 5 of that Act, or the survivor of such individual if such individual is deceased, shall receive compensation under this section in an amount as follows:

“(1) In the case of an individual described by paragraph (1)(A)(i)(III) or (2)(C) of section 4(a) of that Act, in the amount of \$75,000.

“(2) In the case of an individual described by section 5 of that Act, in the amount of \$50,000.

“(b) MEDICAL BENEFITS.—An individual described in subsection (a) shall receive medical benefits under section 3629 for the illness for which that individual received compensation or benefits under the Radiation Exposure Compensation Act.”; and

(2) in subsection (f)—

(A) by striking “each covered uranium employee” and inserting “each individual described in subsection (a)”;

(B) by striking “that covered uranium employee if that employee” and inserting “that individual if that individual”.

(b) CONFORMING AMENDMENT.—The heading for section 3630 of that Act is amended to read as follows:

“SEC. 3630. TREATMENT OF CERTAIN INDIVIDUALS COMPENSATED UNDER RADIATION EXPOSURE COMPENSATION ACT.”

SA 4076. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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 shall 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.

SA 4077. Mr. MILLER (for himself and Mr. CLELAND) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 121. MARINE CORPS LIVE FIRE RANGE IMPROVEMENTS.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 102(b) for procurement for the Marine Corps is hereby increased by \$1,900,000, with the amount of the increase to be allocated to Training Devices.

(b) AVAILABILITY.—(1) Of the amount authorized to be appropriated by section 102(b) for procurement for the Marine Corps, as increased by subsection (a), \$1,900,000 shall be available as follows:

(A) For upgrading live fire range target movers.

(B) To bring live fire range radio controls into compliance with Federal Communications Commission narrow band requirements.

(2) Amounts available under paragraph (1) for the purposes set forth in that paragraph are in addition to any other amounts available in this Act for such purposes.

SA 4078. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In section 2601(1)(A), strike “\$183,008,000” and insert “\$186,588,000”.

SA 4079. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In section 301(a)(2), decrease the amount by \$3,580,000.

SA 4080. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 644. APPLICABILITY OF DISABILITY RETIREMENT AND SEPARATION TO CADETS AND MIDSHIPMEN OF THE SERVICES ACADEMIES.

(a) IN GENERAL.—(1) Section 1217 of title 10, United States Code, is amended to read as follows:

“§ 1217. Cadets and midshipmen

“(a) ELIGIBILITY BASED ON SERVICE AS ACADEMY CADET OR MIDSHIPMAN.—For the purposes of this chapter, service as a cadet at the United States Military Academy or the United States Air Force Academy under chapter 304 or 903 of this title, respectively, or at the Coast Guard Academy under chapter 9 of title 14, or as a midshipman at the United States Naval Academy under chapter 603 of this title, shall be treated as being service for which the cadet or midshipman is entitled to basic pay.

“(b) COMPUTATION OF BENEFIT.—In the case of a person who, during service as a cadet or midshipman described in subsection (a), is retired, placed on the temporary disability retired list, or separated under section 1201, 1202, or 1203, respectively, of this title, the amount paid the person as cadet or midshipman pay under section 203(c) of title 37 shall be treated as being the amount of monthly basic pay to which the person is entitled for the following purposes:

“(1) The computation of monthly retired pay under chapter 71 of this title.

“(2) The computation of severance pay under section 1212 of this title.

(2) The item relating to such section in the table of sections at the beginning of chapter 61 of such title is amended to read as follows: “1217. Cadets and midshipmen.”.

(b) EFFECTIVE DATE AND APPLICABILITY.—Section 1217 of title 10, United States Code, as amended by subsection (a), shall take effect on the date of the enactment of this Act and shall apply in cases of disability incurred on or after that date, including any case of a disability that results from an aggravation, on or after such date, of a disease or injury that was contracted or incurred, respectively, before such date while in service described in subsection (a) of such section.

SA 4081. Mr. BYRD submitted an amendment intended to be proposed by

him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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 Office of Science and Technology Cooperation 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.

SA 4082. Mr. ALLEN submitted an amendment intended to be proposed by

him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 818. REPEAL OF PARA-ARAMID FIBERS AND YARNS PROVISION.

(a) PARA-ARAMID FIBERS AND YARNS.—Section 807 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) is repealed.

SA 4083. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, line 19, insert after "Code, and" and insert "shall also be available for the purchase of satellite radios for distribution in countries of strategic importance to the United States and for".

SA 4084. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 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 shall be available for critical infrastructure protection (PE35190D8Z).

(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.

SA 4085. Mr. INOUE submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 503. INCREASED GRADE FOR HEADS OF NURSE CORPS.

(a) ARMY.—Section 3069(b) of title 10, United States Code, is amended by inserting after "brigadier general" in the second sen-

tence the following: "or major general, as the President may direct".

(b) NAVY.—Section 5150(c) of such title is amended by inserting before the period at the end of the first sentence the following: "or, as the President may direct in the case of an officer in the Nurse Corps, rear admiral (upper half)".

(c) AIR FORCE.—Section 8069(b) of such title is amended by inserting after "brigadier general" in the second sentence the following: "or major general, as the President may direct."

SA 4086. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 214. DEMONSTRATION OF RENEWABLE ENERGY USE.

Of the amount authorized to be appropriated by section 201(2), \$2,500,000 shall be available for the demonstration of renewable energy use program within the program element for the Navy energy program and not within the program element for facilities improvement.

SA 4087. Mr. LEVIN proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 23, line 24, increase the amount by \$2,000,000.

On page 23, line 22, reduce the amount by \$2,000,000.

SA 4088. Mr. ALLARD (for Mr. WARNER) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 214. ANALYSIS OF EMERGING THREATS.

(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 \$2,000,000 with the amount of the increase to be allocated to Marine Corps Advanced Technology Demonstration (ATD) (PE0603640M).

(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), \$2,000,000 may be available for analysis of emerging threats.

(2) The amount available under paragraph (1) for analysis of emerging threats is in addition to any other amounts available under this Act for analysis of emerging threats.

(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 \$2,000,000, with the amount of the reduction allocated as follows:

(1) \$1,000,000 may be allocated to Weapons and Munitions Technology (PE0602624A) and available for counterterrorism systems.

(2) \$1,000,000 may be allocated to Warfighter Advanced Technology (PE0603001A) and available for Objective Force Warrior technologies.

SA 4089. Mr. LEVIN (for Mr. KENNEDY (for himself, Mr. HELMS, Mr. EDWARDS, Mr. FRIST, Mr. THOMPSON, Mr. KERRY, Mrs. BOXER, and Mrs. FEINSTEIN)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 214. PROHIBITION ON TRANSFER OF MEDICAL FREE ELECTRON LASER PROGRAM.

Notwithstanding any other provision of law, the Medical Free Electron Laser Program (PE0602227D8Z) may not be transferred from the Department of Defense to the National Institutes of Health, or to any other department or agency of the Federal Government.

SA 4090. Mr. ALLARD (for Mr. WARNER) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 2829. LAND CONVEYANCES, ENGINEER PROVING GROUND, FORT BELVOIR, VIRGINIA.

(a) CONVEYANCE TO FAIRFAX COUNTY, VIRGINIA, AUTHORIZED.—(1) The Secretary of the Army may convey, without consideration, to Fairfax County, Virginia, all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 135 acres, located in the northwest portion of the Engineer Proving Ground (EPG) at Fort Belvoir, Virginia, in order to permit the County to use such property for park and recreational purposes.

(2) The parcel of real property authorized to be conveyed by paragraph (1) is generally described as that portion of the Engineer Proving Ground located west of Accotink Creek, east of the Fairfax County Parkway, and north of Cissna Road to the northern boundary, but excludes a parcel of land consisting of approximately 15 acres located in the southeast corner of such portion of the Engineer Proving Ground.

(3) The land excluded under paragraph (2) from the parcel of real property authorized to be conveyed by paragraph (1) shall be reserved for an access road to be constructed in the future.

(b) CONVEYANCE OF BALANCE OF PROPERTY AUTHORIZED.—The Secretary may convey to any competitively selected grantee all right,

title, and interest of the United States in and to the real property, including any improvements thereon, at the Engineering Proving Ground, not conveyed under the authority in subsection (a).

(c) CONSIDERATION.—(1) As consideration for the conveyance authorized by subsection (b), the grantee shall provide the United States, whether by cash payment, in-kind contribution, or a combination thereof, an amount that is not less than the fair market value, as determined by the Secretary, of the property conveyed under that subsection.

(2) In-kind consideration under paragraph (1) may include the maintenance, improvement, alteration, repair, remodeling, restoration (including environmental restoration), or construction of facilities for the Department of the Army at Fort Belvoir or at any other site or sites designated by the Secretary.

(3) If in-kind consideration under paragraph (1) includes the construction of facilities, the grantee shall also convey to the United States—

(A) title to such facilities, free of all liens and other encumbrances; and

(B) if the United States does not have fee simple title to the land underlying such facilities, convey to the United States all right, title, and interest in and to such lands not held by the United States.

(4) The Secretary shall deposit any cash received as consideration under this subsection in the special account established pursuant to section 204(h) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(h)).

(d) REPEAL OF SUPERSEDED AUTHORITY.—Section 2821 of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101-189; 103 Stat. 1658), as amended by section 2854 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104-106; 110 Stat. 568), is repealed.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsections (a) and (b) shall be determined by surveys satisfactory to the Secretary. The cost of each such survey shall be borne by the grantee.

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

SA 4091. Mr. LEVIN (for Mr. INOUE) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 503. INCREASED GRADE FOR HEADS OF NURSE CORPS.

(a) ARMY.—Section 3069(b) of title 10, United States Code, is amended by striking “brigadier general” in the second sentence and inserting “major general”.

(b) NAVY.—The first sentence of section 5150(c) of such title is amended—

(1) by inserting “rear admiral (upper half) in the case of an officer in the Nurse Corps or” after “for promotion to the grade of”; and

(2) by inserting “in the case of an officer in the Medical Service Corps” after “rear admiral (lower half)”.

(c) AIR FORCE.—Section 8069(b) of such title is amended by striking “brigadier general” in the second sentence and inserting “major general”.

SA 4092. Mr. ALLARD (for himself and Mr. REID) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 905. VETERINARY CORPS OF THE ARMY.

(a) COMPOSITION AND ADMINISTRATION.—(1) Chapter 307 of title 10, United States Code, is amended by inserting after section 3070 the following new section 3071:

“§ 3071. Veterinary Corps: composition; Chief and assistant chief; appointment; grade

“(a) COMPOSITION.—The Veterinary Corps consists of the Chief and assistant chief of that corps and other officers in grades prescribed by the Secretary of the Army.

“(b) CHIEF.—The Secretary of the Army shall appoint the Chief from the officers of the Regular Army in that corps whose regular grade is above lieutenant colonel and who are recommended by the Surgeon General. An appointee who holds a lower regular grade may be appointed in the regular grade of brigadier general. The Chief serves during the pleasure of the Secretary, but not for more than four years, and may not be reappointed to the same position.

“(c) ASSISTANT CHIEF.—The Surgeon General shall appoint the assistant chief from the officers of the Regular Army in that corps whose regular grade is above lieutenant colonel. The assistant chief serves during the pleasure of the Surgeon General, but not for more than four years and may not be reappointed to the same position.”

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3070 the following new item:

“3071. Veterinary Corps: composition; Chief and assistant chief; appointment; grade.”.

(b) EFFECTIVE DATE.—Section 3071 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2002.

SA 4093. Mr. LEVIN (for Mr. AKAKA) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 214. DEMONSTRATION OF RENEWABLE ENERGY USE.

Of the amount authorized to be appropriated by section 201(2), \$2,500,000 shall be available for the demonstration of renewable energy use program within the program element for the Navy energy program and not within the program element for facilities improvement.

SA 4094. Mr. ALLARD (for Ms. COLLINS) proposed an amendment to the

bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 17, strike line 14 and insert the following:

SEC. 121. EXTENSION OF MULTIYEAR PROCUREMENT AUTHORITY FOR DDG-51 CLASS DESTROYERS.

Section 122(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2446), as amended by section 122 of Public Law 106-65 (113 Stat. 534) and section 122(a) 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-24), is further amended by striking "October 1, 2005" in the first sentence and inserting "October 1, 2007".

SA 4095. Mr. LEVIN (for Ms. LANDRIEU (for herself and Mr. ROBERTS)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 71, between lines 9 and 10, insert the following:

SEC. 246. ACTIVITIES AND ASSESSMENT OF THE DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

(a) **AUTHORIZED ACTIVITIES.**—Subsection (c) of section 257 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 2358 note), is amended—

(1) in paragraph (1), by striking "research grants" and inserting "grants for research and instrumentation to support such research"; and

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

"(3) Any other activities that are determined necessary to further the achievement of the objectives of the program."

(b) **COORDINATION.**—Subsection (e) of such section is amended by adding at the end the following:

"(4) The Secretary shall contract with the National Research Council to assess the effectiveness of the Defense Experimental Program to Stimulate Competitive Research in achieving the program objectives set forth in subsection (b). The assessment provided to the Secretary shall include the following:

"(A) An assessment of the eligibility requirements of the program and the relationship of such requirements to the overall research base in the States, the stability of research initiatives in the States, and the achievement of the program objectives, together with any recommendations for modification of the eligibility requirements.

"(B) An assessment of the program structure and the effects of that structure on the development of a variety of research activities in the States and the personnel available to carry out such activities, together with any recommendations for modification of program structure, funding levels, and funding strategy.

"(C) An assessment of the past and ongoing activities of the State planning committees in supporting the achievement of the program objectives.

"(D) An assessment of the effects of the various eligibility requirements of the various Federal programs to stimulate competitive research on the ability of States to develop niche research areas of expertise, exploit opportunities for developing interdisciplinary research initiatives, and achieve program objectives."

SA 4096. Mr. ALLARD (for Mr. INHOFE (for himself and Mr. AKAKA)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 194, between lines 13 and 14, insert the following:

SEC. 828. INCREASED MAXIMUM AMOUNT OF ASSISTANCE FOR TRIBAL ORGANIZATIONS OR ECONOMIC ENTERPRISES CARRYING OUT PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS IN TWO OR MORE SERVICE AREAS.

Section 2414(a)(4) of title 10, United States Code, is amended by striking "\$300,000" and inserting "\$600,000".

SA 4097. Mr. LEVIN (for Mr. CLELAND (for himself and Mr. THURMOND)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 101, between the matter following line 14 and line 15, insert the following:

SEC. 513. REPEAL OF PROHIBITION ON USE OF AIR FORCE RESERVE AGR PERSONNEL FOR AIR FORCE BASE SECURITY FUNCTIONS.

(a) **REPEAL.**—Section 12551 of title 10, United States Code, is repealed.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 1215 of such title is amended by striking the item relating to section 12551.

SA 4098. Mr. ALLARD (for Mr. HELMS (for himself and Mr. CLELAND)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 346. INSTALLATION AND CONNECTION POLICY AND PROCEDURES REGARDING DEFENSE SWITCH NETWORK.

(a) **ESTABLISHMENT OF POLICY AND PROCEDURES.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish clear and uniform policy and procedures, applicable to the military departments and Defense Agencies, regarding the installation and connection of telecom switches to the Defense Switch Network.

(b) **ELEMENTS OF POLICY AND PROCEDURES.**—The policy and procedures shall address at a minimum the following:

(1) Clear interoperability and compatibility requirements for procuring, certifying, installing, and connecting telecom switches to the Defense Switch Network.

(2) Current, complete, and enforceable testing, validation, and certification procedures needed to ensure the interoperability and compatibility requirements are satisfied.

(c) **EXCEPTIONS.**—(1) The Secretary of Defense may specify certain circumstances in which—

(A) the requirements for testing, validation, and certification of telecom switches may be waived; or

(B) interim authority for the installation and connection of telecom switches to the Defense Switch Network may be granted.

(2) Only the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, after consultation with the Chairman of the Joint Chiefs of Staff, may approve a waiver or grant of interim authority under paragraph (1).

(d) **INVENTORY OF DEFENSE SWITCH NETWORK.**—The Secretary of Defense shall prepare and maintain an inventory of all telecom switches that, as of the date on which the Secretary issues the policy and procedures—

(1) are installed or connected to the Defense Switch Network; but

(2) have not been tested, validated, and certified by the Defense Information Systems Agency (Joint Interoperability Test Center).

(e) **INTEROPERABILITY RISKS.**—(1) The Secretary of Defense shall, on an ongoing basis—

(A) identify and assess the interoperability risks that are associated with the installation or connection of uncertified switches to the Defense Switch Network and the maintenance of such switches on the Defense Switch Network; and

(B) develop and implement a plan to eliminate or mitigate such risks as identified.

(2) The Secretary shall initiate action under paragraph (1) upon completing the initial inventory of telecom switches required by subsection (d).

(f) **TELECOM SWITCH DEFINED.**—In this section, the term "telecom switch" means hardware or software designed to send and receive voice, data, or video signals across a network that provides customer voice, data, or video equipment access to the Defense Switch Network or public switched telecommunications networks.

SA 4099. Mr. LEVIN (for Mr. NELSON of Florida (for himself, Mr. MCCAIN, Mr. CLELAND, Mr. ROBERTS, and Mr. DASCHLE)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 1065. DISCLOSURE OF INFORMATION ON SHIPBOARD HAZARD AND DEFENSE PROJECT TO DEPARTMENT OF VETERANS AFFAIRS.

(a) **PLAN FOR DISCLOSURE OF INFORMATION.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress and the Secretary of Veterans Affairs a comprehensive plan for the review, declassification, and submittal to the Department of Veterans Affairs of all medical records and information of the Department of Defense on the Shipboard Hazard and Defense (SHAD) project of

the Navy that are relevant to the provision of benefits by the Secretary of Veterans Affairs to members of the Armed Forces who participated in that project.

(b) **PLAN REQUIREMENTS.**—(1) The records and information covered by the plan under subsection (a) shall be the records and information necessary to permit the identification of members of the Armed Forces who were or may have been exposed to chemical or biological agents as a result of the Shipboard Hazard and Defense project.

(2) The plan shall provide for completion of all activities contemplated by the plan not later than one year after the date of the enactment of this Act.

(c) **REPORTS ON IMPLEMENTATION.**—(1) Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until completion of all activities contemplated by the plan under subsection (a), the Secretary of Defense shall submit to Congress and the Secretary of Veterans Affairs a report on progress in the implementation of the plan during the 90-day period ending on the date of such report.

(2) Each report under paragraph (1) shall include, for the period covered by such report—

- (A) the number of records reviewed;
- (B) each test, if any, under the Shipboard Hazard and Defense project identified during such review;
- (C) for each test so identified—
 - (i) the test name;
 - (ii) the test objective;
 - (iii) the chemical or biological agent or agents involved; and
 - (iv) the number of members of the Armed Forces, and civilian personnel, potentially effected by such test; and
- (D) the extent of submittal of records and information to the Secretary of Veterans Affairs under this section.

SA 4100. Mr. ALLARD (for Mr. WARNER) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 346. ENGINEERING STUDY AND ENVIRONMENTAL ANALYSIS OF ROAD MODIFICATIONS IN VICINITY OF FORT BELVOIR, VIRGINIA.

(a) **STUDY AND ANALYSIS.**—(1) The Secretary of the Army shall conduct a preliminary engineering study and environmental analysis to evaluate the feasibility of establishing a connector road between Richmond Highway (United States Route 1) and Telegraph Road in order to provide an alternative to Beulah Road (State Route 613) and Woodlawn Road (State Route 618) at Fort Belvoir, Virginia, which were closed as a force protection measure.

(2) It is the sense of Congress that the study and analysis should consider as one alternative the extension of Old Mill Road between Richmond Highway and Telegraph Road.

(b) **CONSULTATION.**—The study required by subsection (a) shall be conducted in consultation with the Department of Transportation of the Commonwealth of Virginia and Fairfax County, Virginia.

(c) **REPORT.**—The Secretary shall submit to Congress a summary report on the study and analysis required by subsection (a). The summary report shall be submitted together

with the budget justification materials in support of the budget of the President for fiscal year 2006 that is submitted to Congress under section 1105(a) of title 31, United States Code.

(d) **FUNDING.**—Of the amount authorized to be appropriated by section 301(a)(1) for the Army for operation and maintenance, \$5,000,000 may be available for the study and analysis required by subsection (a).

SA 4101. Mr. NELSON (for Florida) (for himself, Mr. ROBERTS, Mr. DASCHLE, Mr. SMITH of New Hampshire, and Mr. GRAHAM) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 1035. REPORTS ON EFFORTS TO RESOLVE WHEREABOUTS AND STATUS OF CAPTAIN MICHAEL SCOTT SPEICHER, UNITED STATES NAVY.

(a) **REPORTS.**—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall, in consultation with the Secretary of State and the Director of Central Intelligence, submit to Congress a report on the efforts of the United States Government to determine the whereabouts and status of Captain Michael Scott Speicher, United States Navy.

(b) **PERIOD COVERED BY REPORTS.**—The first report under subsection (a) shall cover efforts described in that subsection preceding the date of the report, and each subsequent report shall cover efforts described in that subsection during the 90-day period ending on the date of such report.

(c) **REPORT ELEMENTS.**—Each report under subsection (a) shall describe, for the period covered by such report—

- (1) all direct and indirect contacts with the Government of Iraq, or any successor government, regarding the whereabouts and status of Michael Scott Speicher;
 - (2) any request made to the government of another country, including the intelligence service of such country, for assistance in resolving the whereabouts and status of Michael Scott Speicher, including the response to such request;
 - (3) each current lead on the whereabouts and status of Michael Scott Speicher, including an assessment of the utility of such lead in resolving the whereabouts and status of Michael Scott Speicher; and
 - (4) any cooperation with nongovernmental organizations or international organizations in resolving the whereabouts and status of Michael Scott Speicher, including the results of such cooperation.
- (d) **FORM OF REPORTS.**—Each report under subsection (a) shall be submitted in classified form, but may include an unclassified summary.

SA 4102. Mr. LEVIN (for Mr. BIDEN (for himself and Mr. CARPER)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 346. EXTENSION OF WORK SAFETY DEMONSTRATION PROGRAM.

(a) **EXTENSION OF DEMONSTRATION PROGRAM.**—Section 1112 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-313) is amended—

(1) in subsection (d), by striking “September 30, 2002” and inserting “September 30, 2003”; and

(2) in subsection (e)(2), by striking “December 1, 2002” and inserting “December 1, 2003”.

SA 4103. Mr. ALLARD (for Mr. WARNER) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 2829. MASTER PLAN FOR USE OF NAVY ANNEX, ARLINGTON, VIRGINIA.

(a) **REPEAL OF COMMISSION ON NATIONAL MILITARY MUSEUM.**—Title XXIX of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 880; 10 U.S.C. 111 note) is repealed.

(b) **MODIFICATION OF AUTHORITY FOR TRANSFER FROM NAVY ANNEX.**—Section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 879) is amended—

- (1) in subsection (b)(2), as amended by section 2863(f) of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115 Stat. 1332), by striking “as a site—” and all that follows and inserting “as a site for such other memorials or museums that the Secretary considers compatible with Arlington National Cemetery and the Air Force Memorial.”; and
- (2) in subsection (d)—

(A) in paragraph (2), by striking “the recommendation (if any) of the Commission on the National Military Museum to use a portion of the Navy Annex property as the site for the National Military Museum”, and inserting “the use of the acres reserved under (b)(2) as a memorial or museum”; and

(B) in paragraph (4), by striking “the date on which the Commission on the National Military Museum submits to Congress its report under section 2903” and inserting “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2003”.

(c) **CONSTRUCTION OF AMENDMENTS.**—The amendments made by subsections (a) and (b) may not be construed to delay the establishment of the United States Air Force Memorial authorized by section 2863 of the Military Construction Authorization Act for Fiscal Year 2002 (115 Stat. 1330).

SA 4104. Mr. LEVIN (for Mr. DURBIN) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 828. AUTHORITY FOR NONPROFIT ORGANIZATIONS TO SELF-CERTIFY ELIGIBILITY FOR TREATMENT AS QUALIFIED ORGANIZATIONS EMPLOYING SEVERELY DISABLED UNDER MENTOR-PROTEGE PROGRAM.

Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amended by adding at the end the following new subsection:

“(n) SELF-CERTIFICATION OF NONPROFIT ORGANIZATIONS AS QUALIFIED ORGANIZATIONS EMPLOYING THE SEVERELY DISABLED.—(1) The Secretary of Defense may, in accordance with such requirements as the Secretary may establish, permit a business entity operating on a non-profit basis to self-certify its eligibility for treatment as a qualified organization employing the severely disabled under subsection (m)(2)(D).

“(2) The Secretary shall treat any entity described in paragraph (1) that submits a self-certification under that paragraph as a qualified organization employing the severely disabled until the Secretary receives evidence, if any, that such entity is not described by paragraph (1) or does not merit treatment as a qualified organization employing the severely disabled in accordance with applicable provisions of subsection (m).

“(3) Paragraphs (1) and (2) shall cease to be effective on the effective date of regulations prescribed by the Small Business Administration under this section setting forth a process for the certification of business entities as eligible for treatment as a qualified organization employing the severely disabled under subsection (m)(2)(D).”.

SA 4105. Mr. ALLARD (for Mr. KYL) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 1065. TRANSFER OF HISTORIC DF-9E PANTHER AIRCRAFT TO WOMEN AIRFORCE SERVICE PILOTS MUSEUM.

(a) **AUTHORITY TO CONVEY.**—The Secretary of the Navy may convey, without consideration, to the Women Airforce Service Pilots Museum in Quartzsite, Arizona (in this section referred to as the “W.A.S.P. museum”), all right, title, and interest of the United States in and to a DF-9E Panther aircraft (Bureau Number 125316). The conveyance shall be made by means of a conditional deed of gift.

(b) **CONDITION OF AIRCRAFT.**—The aircraft shall be conveyed under subsection (a) in “as is” condition. The Secretary is not required to repair or alter the condition of the aircraft before conveying ownership of the aircraft.

(c) **REVERTER UPON BREACH OF CONDITIONS.**—The Secretary shall include in the instrument of conveyance of the aircraft under subsection (a)—

(1) a condition that the W.A.S.P. museum not convey any ownership interest in, or transfer possession of, the aircraft to any other party without the prior approval of the Secretary; and

(2) a condition that if the Secretary determines at any time that the W.A.S.P. museum has conveyed an ownership interest in, or transferred possession of, the aircraft to any other party without the prior approval of the Secretary, all right, title, and interest in and to the aircraft, including any repair

or alteration of the aircraft, shall revert to the United States, and the United States shall have the right of immediate possession of the aircraft.

(d) **CONVEYANCE AT NO COST TO THE UNITED STATES.**—The conveyance of the aircraft under subsection (a) shall be made at no cost to the United States. Any costs associated with the conveyance, costs of determining compliance with subsection (b), and costs of operation and maintenance of the aircraft conveyed shall be borne by the W.A.S.P. museum.

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

SA 4106. Mr. LEVIN (for Mr. KERRY (for himself, Mr. BOND, and Mrs. CARNAHAN)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 194, between lines 13 and 14, insert the following:

SEC. 828. REPORT ON EFFECTS OF ARMY CONTRACTING AGENCY.

(a) **IN GENERAL.**—The Secretary of the Army shall submit a report on the effects of the establishment of an Army Contracting Agency on small business participation in Army procurements during the first year of operation of such an agency to—

(1) the Committee on Armed Services of the House of Representatives;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Small Business of the House of Representatives; and

(4) the Committee on Small Business and Entrepreneurship of the Senate.

(b) **CONTENT.**—The report required under subsection (a) shall include, in detail—

(1) the justification for the establishment of an Army Contracting Agency;

(2) the impact of the creation of an Army Contracting Agency on—

(A) Army compliance with—

(i) Department of Defense Directive 4205.1;

(ii) section 15(g) of the Small Business Act (15 U.S.C. 644(g)); and

(iii) section 15(k) of the Small Business Act (15 U.S.C. 644(k));

(B) small business participation in Army procurement of products and services for affected Army installations, including—

(i) the impact on small businesses located near Army installations, including—

(I) the increase or decrease in the total value of Army prime contracting with local small businesses; and

(II) the opportunities for small business owners to meet and interact with Army procurement personnel; and

(ii) any change or projected change in the use of consolidated contracts and bundled contracts; and

(3) a description of the Army's plan to address any negative impact on small business participation in Army procurement, to the extent such impact is identified in the report.

(c) **TIME FOR SUBMISSION.**—The report under this section shall be due 15 months after the date of the establishment of the Army Contracting Agency.

SA 4107. Mr. ALLARD (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 13, line 18, increase the amount by \$1,000,000.

SA 4108. Mr. LEVIN (for Mr. CLELAND (for himself, Mr. HUTCHINSON, and Mr. KENNEDY)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 148, after line 22, add the following:

SEC. 655. PAYMENT OF INTEREST ON STUDENT LOANS.

(a) **AUTHORITY.**—(1) Chapter 109 of title 10, United States Code, is amended by adding at the end the following new section:

“§2174. Interest payment program: members on active duty

“(a) **AUTHORITY.**—(1) The Secretary concerned may pay in accordance with this section the interest and any special allowances that accrue on one or more student loans of an eligible member of the armed forces.

“(2) The Secretary of a military department may exercise the authority under paragraph (1) only if approved by the Secretary of Defense and subject to such requirements, conditions, and restrictions as the Secretary of Defense may prescribe.

“(b) **ELIGIBLE PERSONNEL.**—A member of the armed forces is eligible for the benefit under subsection (a) while the member—

“(1) is serving on active duty in fulfillment of the member's first enlistment in the armed forces or, in the case of an officer, is serving on active duty and has not completed more than three years of service on active duty;

“(2) is the debtor on one or more unpaid loans described in subsection (c); and

“(3) is not in default on any such loan.

“(c) **STUDENT LOANS.**—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

“(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

“(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

“(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

“(d) **MAXIMUM BENEFIT.**—The months for which interest and any special allowance may be paid on behalf of a member of the armed forces under this section are any 36 consecutive months during which the member is eligible under subsection (b).

“(e) **FUNDS FOR PAYMENTS.**—Appropriations available for the pay and allowances of military personnel shall be available for payments under this section.

“(f) **COORDINATION.**—(1) The Secretary of Defense and, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Transportation shall consult with the Secretary of Education regarding the administration of the authority under this section.

“(2) The Secretary concerned shall transfer to the Secretary of Education the funds necessary—

“(A) to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(a), and 1087dd(j)); and

“(B) to reimburse the Secretary of Education for any reasonable administrative costs incurred by the Secretary in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965.

“(g) SPECIAL ALLOWANCE DEFINED.—In this section, the term ‘special allowance’ means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).”

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

“2174. Interest payment program: members on active duty.”.

(b) FEDERAL FAMILY EDUCATION LOANS AND DIRECT LOANS.—(1) Subsection (c)(3) of section 428 of the Higher Education Act of 1965 (20 U.S.C. 1078) is amended—

(A) in clause (i) of subparagraph (A)—

(i) by striking “or” at the end of subclause (II);

(ii) by inserting “or” at the end of subclause (III); and

(iii) by adding at the end the following new subclause:

“(IV) is eligible for interest payments to be made on such loan for service in the Armed Forces under section 2174 of title 10, United States Code, and, pursuant to that eligibility, the interest is being paid on such loan under subsection (o);”;

(B) in clause (ii)(II) of subparagraph (A), by inserting “or (i)(IV)” after “clause (i)(II)”; and

(C) by striking subparagraph (C) and inserting the following:

“(C) shall contain provisions that specify that—

“(i) the form of forbearance granted by the lender pursuant to this paragraph, other than subparagraph (A)(i)(IV), shall be temporary cessation of payments, unless the borrower selects forbearance in the form of an extension of time for making payments, or smaller payments than were previously scheduled; and

“(ii) the form of forbearance granted by the lender pursuant to subparagraph (A)(i)(IV) shall be the temporary cessation of all payments on the loan other than payments of interest on the loan, and payments of any special allowance payable with respect to the loan under section 438 of this Act, that are made under subsection (o); and”.

(2) Section 428 of such Act is further amended by adding at the end the following new subsection:

“(o) ARMED FORCES STUDENT LOAN INTEREST PAYMENT PROGRAM.—

“(1) AUTHORITY.—Using funds received by transfer to the Secretary under section 2174 of title 10, United States Code, for the payment of interest and any special allowance on a loan to a member of the Armed Forces that is made, insured, or guaranteed under this part, the Secretary shall pay the interest and special allowance on such loan as due for a period not in excess of 36 consecutive months. The Secretary may not pay interest or any special allowance on such a loan out of any funds other than funds that have been so transferred.

“(2) FORBEARANCE.—During the period in which the Secretary is making payments on a loan under paragraph (1), the lender shall

grant the borrower forbearance in accordance with the guaranty agreement under subsection (c)(3)(A)(i)(IV).

“(3) SPECIAL ALLOWANCE DEFINED.—For the purposes of this subsection, the term ‘special allowance’ means a special allowance that is payable with respect to a loan under section 438 of this Act.”.

(c) FEDERAL PERKINS LOANS.—Section 464 of the Higher Education Act of 1965 (20 U.S.C. 1087dd) is amended—

(1) in subsection (e)—

(A) by striking “or” at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting “; or”; and

(C) by adding at the end the following new paragraph:

“(3) the borrower is eligible for interest payments to be made on such loan for service in the Armed Forces under section 2174 of title 10, United States Code, and, pursuant to that eligibility, the interest on such loan is being paid under subsection (j), except that the form of a forbearance under this paragraph shall be a temporary cessation of all payments on the loan other than payments of interest on the loan that are made under subsection (j).”;

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

“(j) ARMED FORCES STUDENT LOAN INTEREST PAYMENT PROGRAM.—

“(1) AUTHORITY.—Using funds received by transfer to the Secretary under section 2174 of title 10, United States Code, for the payment of interest on a loan made under this part to a member of the Armed Forces, the Secretary shall pay the interest on the loan as due for a period not in excess of 36 consecutive months. The Secretary may not pay interest on such a loan out of any funds other than funds that have been so transferred.

“(2) FORBEARANCE.—During the period in which the Secretary is making payments on a loan under paragraph (1), the institution of higher education shall grant the borrower forbearance in accordance with subsection (e)(3).”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interest, and any special allowance under section 438 of the Higher Education Act of 1965, that accrue for months beginning on or after October 1, 2003, on student loans described in subsection (c) of section 2174 of title 10, United States Code (as added by subsection (a)), that were made before, on, or after such date to members of the Armed Forces who are on active duty (as defined in section 101(d) of title 10, United States Code) on or after that date.

SA 4109. Mr. ALLARD (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 23, line 24, increase the amount by \$1,000,000.

On page 13, line 14, reduce the amount by \$1,000,000.

SA 4110. Mr. LEVIN (for Mr. REID) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense ac-

tivities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike section 2841, relating to a transfer of funds in lieu of acquisition of replacement property for National Wildlife Refuge system in Nevada, and insert the following:

SEC. 2841. TRANSFER OF FUNDS FOR ACQUISITION OF REPLACEMENT PROPERTY FOR NATIONAL WILDLIFE REFUGE SYSTEM LANDS IN NEVADA.

(a) TRANSFER OF FUNDS AUTHORIZED.—(1) The Secretary of the Air Force may, using amounts authorized to be appropriated by section 2304(a), transfer to the United States Fish and Wildlife Service \$15,000,000 to fulfill the obligations of the Air Force under section 3011(b)(5)(F) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 889).

(2) Upon receipt by the Service of the funds transferred under paragraph (1), the obligations of the Air Force referred to in that paragraph shall be considered fulfilled.

(b) CONTRIBUTION TO FOUNDATION.—(1) The United States Fish and Wildlife Service may grant funds received by the Service under subsection (a) in a lump sum to the National Fish and Wildlife Foundation for use in accomplishing the purposes of section 3011(b)(5)(F) of the Military Lands Withdrawal Act of 1999.

(2) Funds received by the Foundation under paragraph (1) shall be subject to the provisions of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), other than section 10(a) of that Act (16 U.S.C. 3709(a)).

SA 4111. Mr. ALLARD (for Mr. LOTT) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 2, strike lines 4 through 6, and insert the following:

(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.”.

SA 4112. Mr. LOTT submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

1024. AUTHORITY TO TRANSFER CERTAIN NAVAL VESSEL TO GOVERNMENT OF MEXICO.

(a) **TRANSFER BY SALE.**—The President is authorized to transfer to the Government of Mexico on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761) the NEWPORT class tank landing ship FREDERICK (LST 1184).

(b) **ADDITIONAL CONGRESSIONAL NOTIFICATION NOT REQUIRED.**—The following provisions do not apply with respect to the transfer authorized by this section:

(1) Section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)).

(2) Section 524 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107-115; 115 Stat. 2146), and any similar successor provision.

(c) **COST OF TRANSFER.**—Any expense incurred by the United States in connection with the transfer authorized by this section shall be charged to the Government of Mexico.

(d) **REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.**—To the maximum extent practicable, the President shall require, as a condition of the transfer of the vessel referred to in subsection (a), that the Government of Mexico have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of Mexico, performed at a shipyard located in the United States, including a United States Navy shipyard.

(e) **EXPIRATION OF AUTHORITY.**—The authority provided under this section shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

SA 4113. Mr. REID (for Mr. LEAHY (for himself and Mr. HATCH)) proposed an amendment to the bill H.R. 2047, to authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patent and Trademark Office Authorization Act of 2002”.

SEC. 2. AUTHORIZATION OF AMOUNTS AVAILABLE TO THE PATENT AND TRADEMARK OFFICE.

(a) **IN GENERAL.**—There are authorized to be appropriated to the United States Patent and Trademark Office for salaries and necessary expenses for each of the fiscal years 2003 through 2008 an amount equal to the fees estimated by the Secretary of Commerce to be collected in each such fiscal year, respectively, under—

(1) title 35, United States Code; and

(2) the Act entitled “An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes”, approved July 5, 1946 (15 U.S.C. 1051 et seq.) (commonly referred to as the Trademark Act of 1946).

(b) **ESTIMATES.**—Not later than February 15, of each fiscal year, the Undersecretary of Commerce for Intellectual Property and the Director of the Patent and Trademark Office (in this Act referred to as the Director) shall submit an estimate of all fees referred to under subsection (a) to be collected in the next fiscal year to the chairman and ranking member of—

(1) the Committees on Appropriations and Judiciary of the Senate; and

(2) the Committees on Appropriations and Judiciary of the House of Representatives.

SEC. 3. ELECTRONIC FILING AND PROCESSING OF PATENT AND TRADEMARK APPLICATIONS.

(a) **ELECTRONIC FILING AND PROCESSING.**—Not later than December 1, 2004, the Director shall complete the development of an electronic system for the filing and processing of patent and trademark applications, that—

(1) is user friendly; and

(2) includes the necessary infrastructure to—

(A) allow examiners and applicants to send all communications electronically; and

(B) allow the Office to process, maintain, and search electronically the contents and history of each application.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Of amounts authorized under section 2, there are authorized to be appropriated to carry out subsection (a) of this section not more than \$50,000,000 for each of fiscal years 2003 and 2004. Amounts made available under this subsection shall remain available until expended.

SEC. 4. ANNUAL REPORTS ON STRATEGIC PLAN.

In each of the 5 calendar years following the date of enactment of this Act, the Secretary of Commerce shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives on—

(1) the progress made in implementing the 21st Century Strategic Plan issued on June 3, 2002; and

(2) any amendments made to the plan.

SEC. 5. DETERMINATION OF SUBSTANTIAL NEW QUESTION OF PATENTABILITY IN REEXAMINATION PROCEEDINGS.

(a) **IN GENERAL.**—Sections 303(a) and 312(a) of title 35, United States Code, are each amended by adding at the end the following: “The existence of a substantial new question of patentability is not precluded by the fact that a patent or printed publication was previously cited by or to the Office or considered by the Office.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to any determination of the Director of the United States Patent and Trademark Office that is made under section 303(a) or 312(a) of title 35, United States Code, on or after the date of the enactment of this Act.

SEC. 6. APPEALS IN INTER PARTES REEXAMINATION PROCEEDINGS.

(a) **APPEALS BY THIRD-PARTY REQUESTER IN PROCEEDINGS.**—Section 315(b) of title 35, United States Code, is amended to read as follows:

“(b) **THIRD-PARTY REQUESTER.**—A third-party requester—

“(1) may appeal under the provisions of section 134, and may appeal under the provisions of sections 141 through 144, with respect to any final decision favorable to the patentability of any original or proposed amended or new claim of the patent; and

“(2) may, subject to subsection (c), be a party to any appeal taken by the patent owner under the provisions of section 134 or sections 141 through 144.”.

(b) **APPEAL TO BOARD OF PATENT APPEALS AND INTERFERENCES.**—Section 134(c) of title 35, United States Code, is amended by striking the last sentence.

(c) **APPEAL TO COURT OF APPEALS FOR THE FEDERAL CIRCUIT.**—Section 141 of title 35, United States Code, is amended in the third sentence by inserting “, or a third-party requester in an inter partes reexamination proceeding, who is” after “patent owner”.

(d) **EFFECTIVE DATE.**—The amendments made by this section apply with respect to any reexamination proceeding commenced on or after the date of the enactment of this Act.

SA 4114. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4002 submitted by Ms. LANDRIEU and intended to be proposed to the bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, beginning on line 4, strike “December 31, 2002,” and insert “March 1, 2003,”.

SA 4115. Mr. REID (for Mr. Leahy) proposed an amendment to the bill H.R. 2047, to authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes; as follows:

Amend the title so as to read: "A bill to authorize appropriations for the United States Patent and Trademark Office for fiscal years 2003 through 2008, and for other purposes."

SA 4116. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:
SEC. 708. HOSPITAL REIMBURSEMENT RATES UNDER CHAMPUS AT RISK PLANS UNDER TRICARE IN STATES EXEMPT FROM MEDICARE PROSPECTIVE PAYMENT SYSTEM.

(a) IN GENERAL.—Notwithstanding any other provision of law, hospital reimbursements rates under CHAMPUS at risk plans under the TRICARE program in any State that is exempt from the Medical Prospective Payment System under section 1814(b)(3) of the Social Security Act (42 U.S.C. 1395f(b)(3)) shall be determined utilizing the hospital reimbursement system in effect in such State.

(b) TRICARE PROGRAM DEFINED.—In this section the term "TRICARE program" has the meaning given that term in section 1072(7) of title 10, United States Code.

SA 4117. Mr. REID (for Mr. KENNEDY) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4118. Mr. WARNER proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4119. Mr. REID (for Mr. CLELAND) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title 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.

SA 4120. Mr. WARNER (for Ms. SNOWE (for herself and Ms. COLLINS)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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.

SA 4121. Mr. REID (for Mr. WYDEN (for himself and Mr. SMITH of Oregon)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of title 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.

SA 4122. Mr. WARNER (for Mr. COCHRAN (for himself and Mr. LOTT)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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.

SA 4123. Mr. REID (for Mr. BIDEN (for himself and Mr. CARPER)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of title 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 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.

SA 4124. Mr. WARNER (for Mr. DOMENICI (for himself and Mr. BINGAMAN)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense

activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of title 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).

SA 4125. Mr. REID (for Mr. DURBIN) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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 may 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.

SA 4126. Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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”.

SA 4127. Mr. WARNER (for Mr. FRIST (for himself and Mr. THOMPSON)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

In section 301(a)(4), decrease the amount indicated by \$3,000,000.

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

SA 4128. Mr. WARNER (for Mr. DEWINE) an amendment proposed to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of title 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 (PNZHTV033301A).

(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.

SA 4129. Mr. REID (for Mr. CLELAND) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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”.

SA 4130. Mr. WARNER (for Mr. COCHRAN (for himself and Mr. LOTT)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the

Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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 (DEMVAL) (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).

SA 4131. Mr. REID (For Ms. LAUNDRIEU) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4132. Mr. WARNER (For Ms. DOMENICI) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

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

(a) **AVAILABILITY OF FUNDS.**—(1) The amount of 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.

SA 4133. Mr. REID (for Mr. CONRAD) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place 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.

SA 4134. Mr. WARNER (for Ms. COLLINS) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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 \$25,000,000, 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), \$25,000,000 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.

SA 4135. Mr. REIS (for Mrs. FEINSTEIN (for herself and Mr. STEVENS)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4136. Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

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

SA 4137. Mr. REID (for Mr. CLELAND (for himself and Mr. HUTCHINSON)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.”.

SA 4138. Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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.

SA 4139. Mr. REID (for Mr. LEVIN) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.”

SA 4140. Mr. WARNER proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.”.

SA 4141. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title 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.

SA 4142. Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title 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.

SA 4143. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.”

SA 4144. Mr. WARNER (for Mr. BUNNING) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title 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.

SA 4145. Mr. REID (for Mr. BINGAMAN (for himself and Mr. SANTORUM)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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.

SA 4146. Mr. WARNER (for Mr. INHOFE (for himself and Mr. AKAKA)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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.”

SA 4147. Mr. REID (for Mr. REED) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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 development 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.

SA 4148. Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4149. Mr. REID (for Mr. CLELAND) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

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

SA 4150. Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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.

SA 4151. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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).

SA 4152. Mr. WARNER (for Mr. MCCAIN) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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.

SA 4111. Mr. REID (for Mr. BINGAMAN (for himself and Mr. DOMENICI)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title 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).

SA 4154. Mr. WARNER (for Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mrs. CLINTON, Mr. CORZINE, Mr. SCHUMER, Mr. DODD, Mr. TORRICELLI, Mr. CLELAND, Ms. MIKULSKI, and Mr. SARBANES)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense

activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title 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.

SA 4155. Mr. REID (for Mr. CORZINE (for himself and Mr. TORRICELLI)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4156. Mr. WARNER (for Mr. COCHRAN (for himself and Mr. LOTT)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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 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.

SA 4157. Mr. REID (for Mr. KERRY (for himself and Mr. FRIST)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4158. Mr. WARNER (for Mr. DOMENICI (for himself and Mr. BINGAMAN)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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.

SA 4159. Mr. WARNER proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At this 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 PE0603563N.

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, PE0604231N is hereby reduced by an additional \$4,000,000.

SA 4160. Mr. REID (for Mr. BYRD) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4161. Mr. WARNER (for Mr. THOMPSON) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 1035. BIENNIAL 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 sec-

tion 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.

SA 4162. Mr. WARNER (for Mr. HATCH (for himself, Mrs. FEINSTEIN, and Mr. SANTORUM)) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 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.

SA 4163. Mr. REID (for Mr. SARBANES) proposed an amendment to the

bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle 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, Incorporated120101".

SA 4164. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 4068 submitted by Mr. HUTCHINSON and intended to be proposed to the bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsection (b) and insert the following:

(b) LOCATION.—The location of the facility required by subsection (a) shall be a site in Maryland selected by the Secretary using competitive procedures.

SA 4165. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 4068 submitted by Mr. HUTCHINSON and intended to be proposed to the bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsection (b) and insert the following:

(b) LOCATION.—The location of the facility required by subsection (a) shall be selected by the Secretary using competitive procedures.

NOTICES OF HEARINGS/MEETINGS**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, July 10, beginning at 9:30 a.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on water resource management issues on the Missouri River.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those wishing to submit written testimony for the hearing record should e-mail it to Malini_Sekhar@energy.senate.gov or fax it to 202-224-4340.

For further information, please contact Patty Beneke (202) 224-5451 or Mike Connor (202) 224-5479 of the committee staff.

AUTHORITY FOR COMMITTEES TO MEET**COMMITTEE ON FINANCE**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in open executive session during the session of the Senate on Wednesday, June 26, 2002, at 10 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 26, 2002 at 10:45 a.m. to hold a hearing on Afghanistan.

Agenda**Witnesses**

Panel 1: The Honorable Richard L. Armitage, Deputy Secretary of State, Washington, DC; and the Honorable Paul Wolfowitz, Deputy Secretary of Defense, Washington, DC.

Panel 2: Brig. Gen. David L. Grange, U.S. Army (ret.), Chicago, IL; and the Honorable Peter Tomsen, Special Envoy to Afghanistan (1989-1992), Former Ambassador to Armenia, Ambassador in Residence, University of Nebraska at Omaha, Omaha, Nebraska.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 26, 2002 at 2:30 p.m. to hold a nomination hearing.

Agenda

Nominees: Mr. Mark Sullivan, of Maryland, to be United States Director of the European Bank for Reconstruction and Development; and Mr. Paul Speltz, of Texas, to be United States Director of the Asian Development Bank, with the rank of Ambassador

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, June 26, 2002 at 9:30 a.m. for the purpose of holding a hearing to "Review the Relationship Between a Department of Homeland Security and the Intelligence Community."

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, June 26, 2002 at 3:00 p.m., to hold a hearing to consider the nomination of James E. Boasberg to be an associate judge of the Superior Court of the District of Columbia.

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 in executive session during the session of the Senate on Wednesday, June 26, 2002, at 10:00 a.m. in SD-430 during the session of the Senate.

Agenda

S. 2649, Global AIDS.