

MAKING SUPPLEMENTAL APPROPRIATIONS FOR FURTHER RECOVERY
FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, AND FOR OTHER
PURPOSES

MAY 20, 2002.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YOUNG of Florida, from the Committee on Appropriations,
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 4775]

The Committee on Appropriations submits the following report in
explanation of the accompanying bill making supplemental appro-
priations for further recovery from and response to terrorist attacks
on the United States for the fiscal year ending September 30, 2002,
and for other purposes.

BILL HIGHLIGHTS

The bill recommended by the Committee includes
\$29,386,894,000 in supplemental appropriations for fiscal year
2002. That amount includes \$15,858,467,000 for national security
requirements, \$15,549,177,000 for nondefense requirements, and
\$2,020,750,000 in offsetting reductions. The bill includes

\$15,767,462,000 for Department of Defense activities;

\$6,329,300,000 for the Department of Transportation, includ-
ing \$3,850,000,000 for activities of the Transportation Security
Administration and \$167,000,000 for emergency relief high-
ways;

\$2,750,000,000 for transportation infrastructure repairs to be
funded within the Federal Emergency Management Agency;

\$1,597,500,000 for foreign assistance activities, including
\$200,000,000 for child survival and health programs;

\$1,000,000,000 for Pell Grants to reduce a projected funding shortfall;
 \$450,000,000 for election reform;
 \$300,000,000 for dislocated worker re-employment assistance;
 \$417,000,000 for veterans medical care;
 \$200,516,000 for embassy security;
 \$160,000,000 for activities of the Department of Energy;
 a total of \$326,700,000 for first responders, of which \$175,000,000 is to be available to the Department of Justice and \$151,700,000 to the Federal Emergency Management Agency;
 \$128,400,000 for activities of the Corps of Engineers; and
 \$75,000,000 for special supplemental nutrition program (WIC).

Within the amounts recommended in the bill, a total of \$5,467,000,000 is provided for the city and state of New York, satisfying the commitment of Federal financial assistance in the wake of the terrorist attacks of September 11, 2001.

SUPPLEMENTAL REQUEST JUSTIFICATION INFORMATION

The Committee is extremely concerned about the failure of the Administration to provide timely and adequate materials to support its supplemental appropriations request.

The Administration sent to Congress its fiscal year 2002 supplemental request on March 21, 2002, six-and-a-half weeks after the President submitted his fiscal year 2003 Budget. Because of this delay, the Committee was delayed in its consideration of the Administration's proposals. The ability of the Committee to perform a thorough and independent review of the proposals was also impeded by the fact that justification materials for some agencies were further delayed, inadequate, or both.

The Committee is particularly concerned with the information it received from the Transportation Security Administration (TSA) regarding the request for \$4,400,000,000. At a hearing held more than three weeks after submission of the request, officials were unable to explain or justify the details. Although the Department of Transportation has provided supporting detail since that time, breakdowns of the request and underlying assumptions continue to change. In addition, the Committee has received no justification supporting TSA's fiscal year 2003 request of \$4.8 billion. The Administration should not expect the Committee to recommend large expenditures of public funds without proper justification—even for critical activities. Although transmittal documents to the White House from the Director, Office of Management and Budget (OMB) state "I have carefully reviewed these proposals and am satisfied that they are necessary at this time", the narrative accompanying the TSA portion of that request indicates quite the opposite. That narrative states that \$1.945 billion—almost half—of the request "would be held in reserve until such time as appropriate programmatic needs assessments have been completed and the Administration has a better understanding how such resources are best utilized to meet near term security requirements". While the Committee appreciates the challenges of estimating costs to establish a new agency, the time to complete those assessments is before

funds are requested, not after. And when the Committee holds a hearing three weeks after the request is made and those assessments have still not been completed, the failure is more serious.

Concerning the Department of Defense supplemental request, the Committee notes that in general, the Administration's request was based on financial and deployment targets that did not fully address mobilization and operational requirements established by the war-fighting components of the Army, Navy, Marine Corps, and Air Force.

The Administration's supplemental request for the Department of Defense was not accurate in several instances. For example, OMB requested additional funds for intelligence related activities in incorrect and inappropriate accounts. In order to execute the Administration's proposal for intelligence programs, the Committee is recommending changes to specific appropriation accounts. OMB requested certain Military Personnel costs in the military operations category instead of the proper category of military mobilization, and its cost proposals for Operation Noble Eagle Combat Air Patrol has not been revised to reflect the Department of Defense's modified posture with respect to this operation.

Justification materials and responses to the Committee's requests for information to clarify the Department of Defense proposal were not provided in a timely manner and when provided were not adequate. For example, information provided by the Administration for sorting the supplemental Defense Emergency Response Fund (DERF) request by standard appropriation accounts was not timely and when provided was not precise. The Committee's repeated requests for detailed justification material for the Continuity of Operations request was initially denied by the Administration; subsequent discussions were not sufficiently timely.

In addition, the Committee believes the Administration failed to provide sufficient justification of the significant legislative provisions contained in the Department of Defense supplemental request. This includes provisions that: (1) provided the Secretary of Defense authority to offer certain financial rewards; (2) provided the Secretary of Defense authority to spend funds on military construction projects; (3) authorized the creation of a new Field Operating Agency; and, (4) granted the Secretary of Defense expansive authorities to provide U.S. funds and assistance to foreign nations or groups.

The Committee is likewise concerned with the significant lack of information accompanying its request for \$175,000,000 for the "First Responders" program requested through the Federal Emergency Management Agency (FEMA). This request is, in effect, a precursor to the \$3,500,000,000 requested for First Responders in the fiscal year 2003 submission, yet the Administration is still unable to provide sufficient information which explains why this program should be transferred from the Department of Justice (DOJ) to FEMA, differentiates between the current program at DOJ and what is planned for FEMA, or justifies in any way the specific expenditures proposed for fiscal years 2002 or 2003. While the Congress has previously supported First Responders at DOJ with appropriations approaching \$300,000,000 annually, supplemented with emergency funding, the current proposals appear to do nothing more than request large amounts of scarce financial resources

without the benefit of a coherent, necessary, short or long-term plan.

The Committee expects that the Administration, and particularly OMB, will take seriously the need to provide Congress with timely and meaningful materials in support of its budget requests. The flagrant and flippant disregard of the need to inform Congress adequately must cease. The Committee has a right to fully review any and all Administration's budget requests, and it is committed to faithfully exercising this responsibility on behalf of the American taxpayer. If progress on completing appropriations bills is delayed because the Administration is not forthcoming with information, the responsibility for delay rests solely with the Administration.

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOOD SAFETY AND INSPECTION SERVICE

For the Food Safety and Inspection Service, the Committee provides \$2,000,000 in contingent emergency funds, to remain available until expended, for non-recurring costs to review foreign-country equivalence agreements and to undertake any additional reviews of foreign plants that the Department may determine are necessary as a result of the events of September 11, 2001.

FOOD AND NUTRITION SERVICE

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The Committee provides \$75,000,000, to remain available until September 30, 2003, to finance rising participation in WIC and increased costs of WIC food. The funds are to be distributed in a manner determined by the Secretary and not by the allocation formula established by section 17(i) of the Child Nutrition Act, in order to provide flexibility so that eligible persons nationwide can be served by the program.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The Committee provides \$10,000,000 in contingent emergency funds, to remain available until expended, to assist in State efforts to prevent and control transmissible spongiform encephalopathy, including bovine spongiform encephalopathy, chronic wasting disease, and scrapie, in farmed and free-ranging animals.

The Committee expects the Secretary to continue to use the authority that it has provided to transfer funds from the Commodity Credit Corporation for the arrest and eradication of animal and plant pests and diseases that threaten American agriculture, including Sudden Oak Death and Glassy-winged Sharpshooter/Pierce's Disease.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED REHABILITATION PROGRAM

The Committee recommendation does not include the proposed cancellation of \$9,000,000 appropriated in fiscal year 2002 to provide assistance to rehabilitate aging dams. The Committee continues to expect that priorities under this program be given only to those structures which pose the highest risk to life and property.

ADMINISTRATIVE PROVISIONS

SENIOR FARMERS MARKET NUTRITION PROGRAM

The Committee is aware of the request by the Secretary of Agriculture for the release of \$5,000,000 the Commodity Credit Corporation (CCC) funds to supplement appropriated funds for the Senior Farmers Market Nutrition Program (SFMNP). The Secretary's request was consistent with the Committee's express direction and the Committee commends her for it. The Committee urges OMB to approve this request and it strongly urges the Secretary to continue to seek additional CCC funds for the program.

The Committee further notes that the conference report on H.R. 2646 (H. Rpt. 107-424) provides \$5,000,000 in mandatory funding for SFMNP for fiscal year 2002. In determining the allocation of these funds, the Committee directs the Department to consider first the applications for fiscal year 2002 funding that it has received, but has not funded, from applicants that received funding for SFMNP in fiscal year 2001, including Wisconsin.

INTERNATIONAL FOOD ASSISTANCE

The Department of Agriculture has been the leader in international food assistance program. These efforts have been successful in alleviating the problems caused by hunger, as well as in opening up new markets for American goods as recipient nations develop internal capacity to grow markets. The Committee is concerned that this record of success is not being recognized. The Committee believes that the Department should retain the ability to administer an effective section 416(b) program to use commodity surpluses to respond to the problems of food shortages due to natural disasters; the urgent need associated with the displaced civilian population in central Asia; the Global Food for Education program; efforts to offer alternatives to the madrasses for the education of children, including girls, in Afghanistan and Pakistan; and to foster internal development of production capability so that regions can become more self-reliant. The Department is also expected to continue to provide commodities to private voluntary organizations when these entities may be the most effective way of delivering assistance to needy people.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The Committee provides \$18,000,000 in contingent emergency funds, to remain available until expended, for the Food and Drug

Administration, Salaries and Expenses, for non-recurring costs related to safety activities in the area of medical devices and radiological health, as a consequence of the events of September 11, 2001, such as further work on safety standards for radiation scanners, development and marketing of decontamination devices, and enhanced review of imported medical devices.

GENERAL PROVISIONS—THIS CHAPTER

The Committee recommendation includes a provision that prohibits the use of any funds in this or any other Act for the Department of Health and Human Services for the consolidation of the Food and Drug Administration Office of Public Affairs or Office of Legislation at the Office of the Secretary of Health and Human Services.

The Committee includes language that limits expenditures of the Export Enhancement Program.

CHAPTER 2

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends \$5,750,000, as requested, to continue integration and deployment of the Federal Bureau of Investigation's and the Immigration and Naturalization Service's fingerprint identification systems. The entire amount is designated as an emergency appropriation. This funding will support deployment to ports of entry with the highest volume of passengers and ports of entry most used by travelers from countries with terrorist connections. The Department is directed to continue to provide regular updates to the Committees on Appropriations regarding the implementation of this initiative, including efforts to ensure that this initiative is developed in concert with the Immigration and Naturalization Service's Entry Exit System.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The Committee recommends \$1,000,000 as a contingent emergency appropriation for the U.S. Marshals Service to address increased security requirements associated with high-threat terrorist trials.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The Committee recommends \$112,000,000, including \$102,000,000 as a contingent emergency appropriation, for the FBI "Salaries and Expenses" account. To continue the FBI's efforts to investigate and thwart further terrorist attacks, the Committee recommends \$10,000,000, as requested, for the Foreign Terrorist Tracking Task Force and another \$7,500,000 for its Collaborative Capabilities activities. These efforts will enable the FBI to work

collaboratively with State, local and other Federal agencies to keep foreign terrorists and their supporters out of the United States or to locate, detain and prosecute aliens who are engaged in terrorist activities, and to build safeguards into the FBI's networks in order to enable the FBI to communicate electronically with other law enforcement entities without compromising its network security.

The Committee is concerned that the FBI has not hired enough foreign language specialists to translate intelligence data, and therefore provides an additional \$2,000,000 for foreign language services.

The Committee remains concerned with the FBI's ability to ensure that its systems and information are safeguarded from internal and external threats, and therefore is providing \$18,435,000 for the FBI's Information Assurance program. The Committee is also providing \$8,000,000 for Trilogy contract support. To continue efforts to create a virtual knowledge base for agents and analysts to search FBI and other databases, \$44,121,000 is provided for investigative data warehousing and data mining tools, and another \$8,000,000 is provided for digital storage and retrieval of documents related to the September 11th terrorism investigation. The FBI is directed to meet with the Committee prior to obligation of these funds to ensure that this investment is integrated with the Joint Terrorism Task Forces, the Foreign Terrorist Tracking Task Force, Trilogy, and the FBI's Information Assurance Program. To ensure continuity of operations, \$13,944,000 is provided.

The Committee directs the FBI to allocate \$44,713,000 expected to be carried over from funds provided to the FBI under P.L. 107-117 to expand its Legal Attaché program. The Committee understands the growing importance of the FBI's law enforcement liaison programs with foreign countries, particularly those where known terrorist organizations may be active, and therefore directs the FBI to establish new or expand existing Legal Attaché offices in the highest priority locations. The FBI is directed to consult with the Committee prior to beginning this effort. Of the funding provided, \$21,000,000 is for infrastructure upgrades at these and existing Legal Attaché offices. The Committee directs the FBI to ensure these infrastructure investments are consistent with and complement Trilogy and the Information Assurance efforts underway at the FBI.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

ENFORCEMENT AND BORDER AFFAIRS

The Committee recommends \$75,000,000 for the Immigration and Naturalization Service "Salaries and Expenses, Enforcement and Border Affairs" account, including \$40,000,000 as a contingent emergency appropriation.

The Committee recommendation includes \$1,000,000 for continued development and implementation of the Entry Exit program. This funding, together with the funds provided in P.L. 107-117, brings the total funding available for the INS to begin development of an Entry Exit System in FY 2002 to \$14,300,000. The Committee believes that implementation of this system is vital to pro-

protecting the security of the United States while at the same time facilitating more streamlined visits and commerce to and from the country. Therefore, the Committee directs that this system be developed from inception with oversight and input from the appropriate Executive Branch agencies, (including the Justice Department's Management Division, the Office of Homeland Security, and the Office of Management and Budget) and in coordination with other law enforcement, border security, and intelligence community information systems. The Department is directed to consult with the Committee prior to obligating these funds to ensure that this system links existing law enforcement and intelligence databases, and takes advantage of existing infrastructure and programs already in operation at ports of entry, such as the Dedicated Computer Lanes program.

Further, given the importance and uncertain total resource requirements of this program, the Committee directs that the General Accounting Office provide input to the INS and Justice regarding every aspect of program development, including information technology plans, infrastructure needs and staffing.

The total funding amount also includes \$49,000,000 to address the shortfall in air and seaport immigration inspection fees collected in the User Fee Account. This one-time appropriation is provided for information technology enhancements and other improvements directed in the FY 2002 Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, P.L. 107-77.

The Committee is extremely concerned about the ability of the INS to account for individuals who have been identified for immigration violations but who have absconded on their deportation orders, and believes that the INS has failed to request adequate personnel to manage this effort. Therefore, the Committee recommendation includes \$25,000,000 to enable the INS to expand its efforts to identify and remove absconders. The INS is directed to ensure that these efforts are coordinated with Joint Terrorism Task Force and Foreign Terrorist Tracking Task Force efforts.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

The Committee recommends \$175,000,000 as an emergency appropriation for the Office of Justice Programs (OJP) for State and local domestic preparedness support as authorized by section 1014 of the USA PATRIOT Act. These funds were included in the Administration's request under the Federal Emergency Management Agency. Funding is provided as outlined in the following table:

OFFICE OF DOMESTIC PREPAREDNESS

[dollars in thousands]

Equipment	\$80,000
Pre-positioned Equipment	(20,000)
Electronic Dissemination of Terrorism Threat Info.	(10,000)
State Formula Grants	(50,000)
Training	45,000
State Formula Grants	(25,000)
Technical Assistance and Planning	50,000
Total	\$175,000

Equipment.—The Committee provides \$80,000,000 for equipment, of which \$50,000,000 is to be provided to the States based on the approved State-wide strategic plans, \$20,000,000 is provided for pre-positioned equipment, and \$10,000,000 is provided to enhance the Department of Justice's ability to rapidly and securely disseminate terrorist data to State and local law enforcement. The Committee understands that OJP is currently evaluating existing national information systems used by local law enforcement and examining other alternatives for enhancing the electronic dissemination of terrorist data to State and local law enforcement. The Committee expects to be kept informed of the Department's plans on utilizing these funds.

Training.—The Committee provides \$45,000,000 for first responder training programs, including \$25,000,000 to be provided to States on a formula basis. The remaining funding is provided to address the most pressing training requirements. Within the funding provided, OJP is expected to implement a comprehensive and aggressive training standardization program. This effort should include developing training standards for each of the public safety disciplines that would be involved in a Weapons of Mass Destruction event. These standards are to be provided to the States to ensure that training provided by State and local agencies is consistent with minimum national training standards. The Committee expects to be kept informed on OJP's training standardization efforts, including how the standards will be implemented at the State and local level to ensure minimum training standards are being met and the maximum number of responders are being trained.

Technical Assistance and Planning.—The Committee recommends \$50,000,000 for technical assistance and planning. The Committee expects these funds to be used to assist State and local agencies in conducting Weapons of Mass Destruction exercises and procuring specialized equipment and training. The funds are also provided for OJP to continue to work with the States to update and enhance their State-wide domestic preparedness strategies. The Committee expects that comprehensive state strategies will address immediate State and local needs to effectively respond to all types of terrorist or Weapons of Mass Destruction attacks. These plans should include the equipment, training, exercise, technical assistance, and planning needs for all types of State and local first responders, including law enforcement, fire, emergency medical services, and hazardous material response. In the development and implementation of their plans, States are expected to consult with local governments regarding the scope, design, and allocation of resources so that State and local strategies are consistent.

CRIME VICTIMS FUND

The Committee directs that remaining unexpended balances of funding appropriated under this heading in Public Law 107-117 be made available for other authorized programs in addition to counseling programs.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES
RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
SALARIES AND EXPENSES

The Committee recommends \$1,100,000 as a contingent emergency appropriation for increased security costs.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The Committee recommendation includes \$4,000,000, as requested, for standards development for explosive threat detection equipment and to strengthen security of the cold neutron reactor. The entire amount is designated as an emergency appropriation. Further, the Committee directs the NIST to direct \$3,000,000 from lower priority programs to the investigation of the technical causes of the collapse of World Trade Center towers, as proposed in a March 2002 reprogramming request.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OPERATIONS, RESEARCH AND FACILITIES

The Committee is aware that an F-4 tornado, with winds of 260 mph, hit Charles, Calvert, and Dorchester Counties in Maryland on April 28, killing five individuals and injuring over 120 more. This tornado was preceded six and one half months earlier by an F-3 tornado in Prince George's County, Maryland, killing two individuals. The Committee is also aware that between 1950 and 1995, the entire State of Maryland experienced only 4 tornadoes as strong as an F-3 and none at the F-4 and F-5 level. Recognizing the extraordinary strength and devastation of the tornadoes that hit Prince George's County in September of 2001 and Charles, Calvert and Dorchester Counties in April of 2002, the Committee directs the National Weather Service to study whether these tornadoes are the result of weather patterns and/or specific geographic features in the mid-Atlantic. The Committee directs the National Weather Service to submit this report to the Committee on Appropriations within 180 days of the date of the enactment of this Act.

The Committee encourages the Administration to evaluate opportunities to file for appeal of the judgement rendered on April 26, 2002 in U.S. District Court in the matter of *Conservation Law Foundation v. Donald Evans*.

FISHERIES FINANCE PROGRAM ACCOUNT

The Committee recommendation includes language relating to loan program levels under the fisheries finance program.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The Committee recommends \$400,000 for increased guard and protection services as requested. The entire amount is designated as an emergency appropriation.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

CARE OF THE BUILDING AND GROUNDS

The Committee recommends \$10,000,000 to address the Supreme Court building's perimeter security needs. The Committee directs the Architect of the Capitol to submit a perimeter security implementation plan to the Committee by July 15, 2002. The Committee expects perimeter security enhancements for the Supreme Court building to be coordinated with other security enhancements being implemented in the U.S. Capitol complex.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The Committee strongly supports the security needs of the Court and understands that the General Services Administration (GSA) is working with the Court to provide for its security needs, including an emergency generator. The Committee also understands that the Court is working with GSA and the Administrative Office of the U.S. Courts to address additional security needs. As described in the Conference Report accompanying P.L. 107-117, the Judiciary shall allocate funding provided in the Court Security account for fiscal year 2002 to address the Court's security requirements, as necessary. The Committee directs the Court to submit a status report on the implementation of its security upgrades by July 15, 2002.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The Committee provides \$6,258,000 for Salaries and Expenses for the courts' increased costs associated with terrorist-related trials, including \$3,115,000 as a contingent emergency appropriation. Within the funds provided, \$4,343,000 is for perimeter security enhancements, such as protective window film, for courts with upcoming terrorist trials, including Alexandria, Virginia, Boston, Massachusetts, and New York, New York. In addition, \$1,915,000 is provided to fund the costs associated with closed circuit transmission of the Moussaoui trial to victims of the September 11th attacks.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The Committee recommends \$51,050,000 for the operational and security costs of re-establishing missions in Kabul, Afghanistan, and Dushanbe, Tajikistan, domestic security needs, mail decontamination and safety requirements, medical services, and expansion of public diplomacy programs. The Committee recommendation includes \$17,500,000 for public diplomacy initiatives.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The Committee recommends \$20,000,000 for exchange programs, including \$10,000,000 as a contingent emergency appropriation. The Committee recommendation includes funding for media training and English teaching programs, among other exchange programs targeted at improving communication and mutual understanding with the Muslim world. The Committee directs the Department to allocate funds provided under this heading in this Act for exchange programs involving countries not already covered by the Freedom Support Act.

EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE

The Committee recommends \$200,516,000 for the costs of renovations and new construction on the existing chancery compound in Kabul, Afghanistan, and for the costs of site acquisition and construction of a new chancery in Dushanbe, Tajikistan. The Committee notes that projected staffing levels for both posts represent dramatic increases over historical levels. In order to ensure that a rigorous right-sizing methodology is applied to the staffing of these posts, the Committee directs the Department to submit to the Committee detailed staffing plans and justifications for both posts, before obligating funds provided under this heading.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The Committee recommendation does not include additional emergency appropriations requested under this heading. The Committee understands that sufficient carryover balances in this account are available, and that activities for which funding is requested do not require any additional legal authorities. The Committee therefore expects the Department to cover the costs of such activities within available funds under this heading.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The Committee recommends \$7,000,000 for anticipated United Nations assessments to support the new United Nations administrative mission in Afghanistan.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommends \$43,000,000 to cover unanticipated increased assessments for United Nations Peacekeeping in the Democratic Republic of the Congo. The Committee understands that this additional assessment is based on the level of U.N. personnel authorized in the current mandate, and does not assume an increase in that level.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The Committee recommendation includes \$7,400,000 for operational costs to continue surrogate radio broadcasting by Radio Free Europe/Radio Liberty to the people of Afghanistan in languages spoken in Afghanistan. The entire amount is designated as an emergency appropriation.

BROADCASTING CAPITAL IMPROVEMENTS

The Committee recommendation includes \$7,700,000 as a contingent emergency appropriation for capital requirements associated with installation of a medium wave transmission facility in Tunisia to support the Board's Arabic broadcasting initiative.

RELATED AGENCIES

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The Committee provides \$29,300,000 for the Securities and Exchange Commission, including \$20,000,000 for 100 additional staff to address the Commission's growing oversight and enforcement workload, and \$9,300,000 as a contingent emergency appropriation for recovery costs for the New York Regional Office, where office space was destroyed in the September 11th attacks.

GENERAL PROVISIONS—THIS CHAPTER

The Committee recommendation includes a provision waiving provisions of existing legislation that require authorizations to be in place prior to the expenditure of any appropriated funds.

The Committee recommendation includes a technical correction to existing legislation regarding the collection of immigration inspection fees.

The Committee recommendation includes language authorizing the closed circuit televising of the Moussaoui trial for victims of the September 11th attacks.

The Committee recommendation includes language relating to participants in the Eisenhower Exchange Fellowship program.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

The supplemental request included \$14,022,000,000 for the Department of Defense for military operations in support of the war on terrorism worldwide as well as the homeland security missions being carried out by our armed forces. This supplemental funding would pay reserve and national guard personnel who have been mobilized or volunteered for active duty; accelerate production of precision munitions; procure certain special operations equipment; fund continued Command, Control, Communications, and Intelligence (C3I) support to military operations, including the National Foreign Intelligence Program (NFIP), and enhanced communications and control for the Combatant Commanders and the White House.

The Committee recommends \$15,777,962,000 for continuing support to the war on terrorism, a net increase of \$1,755,962,000 over the request, to address urgent requirements necessary to the war fighting effort and homeland defense. The additional funds over the request are for military operations and force readiness needs, costs associated with mobilization of the guard and reserves, replacement helicopters, chemical agent detection and destruction activities, and the purchase of aircraft radios to allow direct communications between military and civilian aircraft. The Committee believes these activities are vital to ensuring readiness for ongoing and potential anti-terrorism combat operations.

As requested by the President, the Committee has provided the majority of funding for Defense Department activities in the Defense Emergency Response Fund. The Committee directs the Department of Defense to transfer funds appropriated in the DERF to the Department's normal appropriations accounts for execution and that the Department separately track the cost of the war effort, and continue quarterly reporting as required by the Conference Report (H.R. 107-350) to the Fiscal Year 2002 Department of Defense Appropriations Act, Public Law 107-117. The entire amount appropriated to the DERF in this Act is to be addressed in the quarterly reports.

The Committee recognizes the difficulty involved in precisely predicting the conduct of military operations in an area extremely remote from the United States and in which existing infrastructure is quite limited. Accordingly, the Committee has recommended extending the availability of the Defense Emergency Response Fund in order to facilitate efficient execution.

MILITARY PERSONNEL

The supplemental request included \$206,000,000 for functions funded in title I, Military Personnel, of the Department of Defense Appropriations Act. The Committee recommends \$206,000,000. The following table summarizes the requested amounts and the Committee recommendations.

[In thousands of dollars]

Program	Request	Committee recommendation	Change
Military Personnel, Air Force	\$206,000	\$206,000	0

(In thousands of dollars)

Program	Request	Committee recommendation	Change
Personnel Readiness	(206,000)	(206,000)	(0)

OPERATION AND MAINTENANCE

The supplemental request included \$923,500,000 for functions funded in title II, Operation and Maintenance, of the Department of Defense Appropriations Act. The Committee recommends \$1,092,225,000. The following table summarizes the requested amounts and the Committee recommendations.

(In thousands of dollars)

Program	Request	Committee recommendation	Change
Operation and Maintenance, Army	\$107,000	\$226,000	+119,000
C3I Classified	(101,800)	(103,800)	(+2,000)
C3I Site R	(5,200)	(5,200)	(0)
Overseas Contingency Operations	(0)	(117,000)	(+117,000)
Operation and Maintenance, Navy	36,500	53,750	+17,250
C3I Classified	(36,500)	(53,750)	(+17,250)
Operation and Maintenance, Air Force	41,000	60,500	+19,500
C3I Classified	(32,000)	(51,500)	(+19,500)
Weapons and Munitions—UAV	(9,000)	(9,000)	(0)
Operation and Maintenance, Defense-Wide	739,000	751,975	+12,975
C3I Classified	(283,600)	(296,575)	(+12,975)
C3I Homeland Security IT	(32,000)	(32,000)	(0)
C3I White House Communications	(3,400)	(3,400)	(0)
C3I Coalition Support	(420,000)	(420,000)	(0)

DEFENSE EMERGENCY RESPONSE FUND

The supplemental request included \$11,300,000,000 for incremental costs of military operations and mobilization to conduct the global war on terrorism. The Committee recommends \$12,693,972,000. The following table summarizes the requested amounts and the Committee recommendations.

(In thousands of dollars)

Program	Request	Committee recommendation	Change
Army	\$3,550,700	\$4,112,700	+562,000
Military Operations	(2,161,000)	(2,326,000)	(+165,000)
Mobilization	(1,389,700)	(1,786,700)	(+397,000)
Navy	2,240,200	2,633,200	+393,000
Military Operations	(1,826,000)	(2,002,000)	(+176,000)
Mobilization	(414,200)	(631,200)	(+217,000)
Marine Corps	257,800	261,800	+4,000
Military Operations	(51,000)	(51,000)	(0)
Mobilization	(206,800)	(210,800)	(+4,000)
Air Force	3,795,500	4,130,572	+335,072
Military Operations	(1,947,000)	(2,110,072)	(+163,072)
Mobilization	(1,848,500)	(2,020,500)	(+172,000)
Defense-Wide	1,455,800	1,555,700	+99,900
Military Operations/Classified Activities	(1,212,000)	(1,311,900)	(+99,900)
Mobilization (Defense Health Program)	(243,800)	(243,800)	(0)

TRANSFER TO PROCUREMENT ACCOUNTS

The Committee has included language in the accompanying bill which allows the Secretary of Defense to transfer funds from the

DERF to procurement accounts of the Department of Defense. The Committee directs that the funds transferred to procurement accounts shall be used only for the purpose of acquiring repair parts and components, including kits, assemblies and subassemblies, and interceptor body armor including small arms protective insert plates and outer tactical vests.

ARMY OPERATIONS AND MOBILIZATION

Supplemental funding of \$4,112,700,000 is recommended for the Army in the DERF account. The recommendation is an increase of \$562,000,000 above the amount requested and includes an additional \$165,000,000 for military operations (training, spares and base operations) and an additional \$397,000,000 only for mobilization costs. The Committee directs that \$20,000,000 of the funds provided to the Army in the DERF be available only to accelerate fielding of next generation protective body armor to U.S. forces in high-risk locations. Experience in Afghanistan has already shown that the new Interceptor body armor provides soldiers far greater protection than the standard “flak vest”, especially against high velocity rounds. The Committee expects these funds to provide 12,000 sets of Small Arms Protective Insert Plates (\$13,000,000) and 9,434 sets of Outer Tactical Vests (\$7,000,000).

NAVY OPERATIONS AND MOBILIZATION

Supplemental funding of \$2,633,200,000 is recommended for the Navy in the DERF account. The recommendation is an increase of \$393,000,000 above the amount requested and includes an additional \$176,000,000 for military operations (training, spares and depot maintenance), of which \$2,000,000 is available for NASNI facility renovation project #18-99, and an additional \$217,000,000 only for mobilization costs.

MARINE CORPS OPERATIONS AND MOBILIZATION

Supplemental funding of \$261,800,000 is recommended for the Marine Corps in the DERF account. The recommendation is an increase of \$4,000,000 above the amount requested only for additional mobilization costs.

AIR FORCE OPERATIONS AND MOBILIZATION

Supplemental funding of \$4,130,572,000 is recommended for the Air Force in the DERF account. The recommendation is an increase of \$335,072,000 above the amount requested and includes an additional \$163,072,000 for military operations (base operations and depot maintenance), of which \$1,500,000 is available for NAIC’s TRV project, and \$7,000,000 is available only for Predator B flying hours, testing and related costs, and an additional \$172,000,000 only for mobilization costs.

DEFENSE-WIDE OPERATIONS AND MOBILIZATION

Supplemental funding of \$1,555,700,000 is recommended for Special Operations Command and other Defense-Wide activities in the DERF account. The recommendation includes an increase of \$100,000,000 above the amount requested, to support classified programs (discussed in the classified annex to this report), as well

as transfer authority for these activities; and a reduction of \$100,000 to the budget request for administrative activities of the Department of Defense.

DEFENSE FORCE PROTECTION REQUIREMENTS

The Committee notes that even though billions of dollars have been appropriated to enhance force protection capabilities around the world over the last several years, there continues to be a large and growing number of unfunded force protection needs as threat levels change and new circumstances arise. The Committee needs to be assured that the Department of Defense is developing its force protection requirements and setting its force protection priorities according to a rigorous analysis that is systematic, standardized, and site specific. The Secretary of Defense is directed to submit a report to the congressional defense committees within 45 days of enactment of this Act that (1) describes in detail the process by which force protection requirements are set and priorities are determined by each service, and how priorities are determined between the validated requirements of different services; (2) breaks down the annual funds appropriated and obligated for force protection improvements by service and by major project category for fiscal years 1998–2002, and what funds are programmed annually for fiscal years 2003–2008; (3) lists the validated unfunded force protection requirements for each military service for fiscal year 2003 and beyond; (4) breaks down the number of AC/RC personnel that have been dedicated to force protection for each fiscal year from 1998 through 2002 by service and explains the PERSTEMPO impacts that current high security workloads are having on the operational readiness and quality of life for military personnel; (5) explains how technology can be used to replace or augment manpower-intensive security practices and how such practices are being comprehensively and systematically analyzed to assess the potential of replacing personnel with technological solutions.

PROCUREMENT

The supplemental request included \$1,429,800,000 for functions funded in title III, Procurement, of the Department of Defense Appropriations Act. The Committee recommends \$1,454,265,000. The following table summarizes the requested amounts and the Committee recommendations.

[In thousands of dollars]

Program	Request	Committee recommendation	Change
Other Procurement, Army	\$79,200	\$79,200	0
C3I Classified	(10,400)	(10,400)	(0)
C3I Site R	(68,800)	(68,800)	(0)
Aircraft Procurement, Navy	22,800	22,800	0
C3I Classified	(8,000)	(8,000)	(0)
C3I White House Communications	(14,800)	(14,800)	(0)
Procurement of Ammunition, Navy and Marine Corps	262,000	262,000	0
Weapons and Munitions—JDAM	(262,000)	(262,000)	(0)
Other Procurement, Navy	2,500	2,500	0
C3I Classified	(2,500)	(2,500)	(0)
Procurement, Marine Corps	3,500	3,500	0
C3I Classified	(3,500)	(3,500)	(0)
Aircraft Procurement, Air Force	93,000	129,500	+36,500

[In thousands of dollars]

Program	Request	Committee recommendation	Change
Weapons and Munitions—UAV	(93,000)	(93,000)	(0)
F-15 VHF Radios	(0)	(36,500)	(+36,500)
Procurement of Ammunition, Air Force	115,000	115,000	0
Weapons and Munitions—JDAM	(115,000)	(115,000)	(0)
Other Procurement, Air Force	752,300	735,340	- 16,960
C3I Classified	(752,300)	(735,340)	(- 16,960)
Procurement, Defense-Wide	99,500	104,425	+4,925
C3I Classified	(46,900)	(51,825)	(+4,925)
C3I White House Communications	(14,800)	(14,800)	(0)
Weapons and Munitions—Task Force 160	(12,800)	(12,800)	(0)
Weapons and Munitions—Non Standard Ammunition	(6,400)	(6,400)	(0)
Weapons and Munitions—Standard Ammunition	(1,000)	(1,000)	(0)
Weapons and Munitions—Helicopter Weapons	(3,500)	(3,500)	(0)
Weapons and Munitions—APQ Radar Overheat Mitigation ..	(3,300)	(3,300)	(0)
Weapons and Munitions—MH-60 Enhancement	(8,600)	(8,600)	(0)
Weapons and Munitions—CAS Suite	(2,200)	(2,200)	(0)

UNMANNED AERIAL VEHICLES (UAVS)

The Emergency Supplemental request includes a total of \$125,000,000 for various unmanned aerial vehicle (UAV) programs. The Committee has provided a total of \$102,000,000 as follows:

Aircraft Procurement, Air Force

1. Global Hawk High Altitude Endurance UAV:

Replacement of air vehicle and sensor suite	\$35,000,000
Backfill for cameras P1 and P2	13,000,000
2. Predator Medium Altitude UAV:

Accelerate air vehicle production, support weaponization ...	45,000,000
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Operation and Maintenance, Air Force

- Predator Medium Altitude UAV:
- | | |
|-------------------------------------------------------|-----------|
| Contractor logistics support, spares, equipment | 9,000,000 |
|-------------------------------------------------------|-----------|

The Committee does not agree to provide the \$23,000,000 in Research, Development, Test and Evaluation funds as requested for the high band subsystem SIGINT requirements for the Global Hawk.

The Committee is not opposed to this effort, it is simply opposed to accommodating the requirement in this supplemental. In fact, in its March 8, 2002 letter to the Secretary of the Air Force, the Committee stressed its support for the high band subsystem SIGINT requirement by directing that it be accommodated with funds remaining subsequent to the acquisition of an RC-135 acquired with appropriations made available in a previous supplemental. The Committee remains convinced this is the best method of accommodating this requirement.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The supplemental request included \$162,700,000 for functions funded in title IV, Research, Development, Test and Evaluation, of the Department of Defense Appropriations Act. The Committee recommends \$189,000,000. The following table summarizes the requested amounts and the Committee recommendations.

[In thousands of dollars]

Program	Request	Committee recommendation	Change
Research, Development, Test and Evaluation, Army	\$8,200	\$8,200	0

[In thousands of dollars]

Program	Request	Committee recommendation	Change
Weapons and Munitions—Hemostatic Dressing	(8,200)	(8,200)	(0)
Research, Development, Test and Evaluation, Navy	19,000	9,000	− 10,000
C3I Classified	(10,000)	(0)	(− 10,000)
C3I White House Communications	(9,000)	(9,000)	(0)
Research, Development, Test and Evaluation, Air Force	60,800	99,800	39,000
C3I Classified	(37,800)	(99,800)	(+62,000)
Weapons and Munitions—UAV	(23,000)	(0)	(− 23,000)
Research, Development, Test and Evaluation, Defense-Wide	74,700	72,000	− 2,700
C3I Classified	(74,700)	(52,000)	(− 22,700)
Remote CB Agent Vapor Detection System	(0)	(20,000)	(+20,000)

REMOTE CHEMICAL AND BIOLOGICAL AGENT VAPOR DETECTION SYSTEM

The Committee is aware that the Department has initiated testing to employ commonly used radars in the detection of chemical and biological agents. Early results of the testing indicate this remote chemical and biological agent vapor detection system used in conjunction with Doppler radar sites has the potential to provide a rapid chemical and biological defense umbrella for the nation. The Committee has provided \$20,000,000 above the budget request to further pursue this initiative. The Committee directs the Undersecretary of Defense for Acquisition, Technology and Logistics to submit to the congressional defense committees within 45 days of enactment of this Act, a program plan to accelerate the development, testing, training and deployment of this system at 153 existing Doppler radar sites of the National Weather Service and the Federal Aviation Administration. The plan shall include a budget profile for fiscal year 2002 and fiscal year 2003 including the use of these funds for software development, installation of a new monitoring system, training of operators, and continuing operations, and be coordinated on an expedited basis with the FAA, NOAA, Coast Guard, EPA, and the NWS to ensure successful implementation.

CRUSADER NEXT GENERATION ARTILLERY SYSTEM

The Committee has received testimony from three Secretaries of Defense, three Secretaries of the Army and three Army Chiefs of Staff as to the importance of the Crusader Next Generation Artillery System in protecting American troops in battle.

In light of the recently announced plans of the Secretary of Defense, to completely change direction on this program, the Committee believes that further review is essential before it can make an informed and definitive judgment. The Committee therefore directs that the Secretary of Defense shall take no action that would precipitously stop work on the Crusader program until Congress has made a definitive judgment in legislation on the future of the program.

Further, the Committee directs the Secretary to submit a report to Congress no later than June 15, 2002, which shall lay out and assess a recommended alternative to the Crusader program that will provide equal or better combat capability compared to the Crusader howitzer at the same or less cost and within the same time-

frame as the existing plan for the Crusader program, as measured by:

- (1) flexibility and responsiveness of fires;
- (2) continuous, accurate and sustained rates of fire and rates of kill in all weather conditions;
- (3) employment in proximity to friendly forces to support close combat (less than one kilometer);
- (4) resupply and sustainability;
- (5) cost of munitions;
- (6) force structure supportability;
- (7) mobility to fully meet tactical requirements of the counter-attack corps;
- (8) system and crew survivability;
- (9) lethality to destroy, isolate, fix and suppress enemy forces; and
- (10) networked fires to link and process intelligence, surveillance and reconnaissance (ISR), command and control (C2), fires and logistics data in real time.

The Committee also directs the Chief of Staff of the Army to submit a separate detailed written analysis of alternatives to the Crusader based on the same criteria by June 15, 2002.

CLASSIFIED PROGRAMS

The Committee's recommendations regarding classified programs are summarized in a classified annex accompanying this report.

GENERAL PROVISIONS—THIS CHAPTER

Section 301 of the Committee bill includes a general provision requested in the supplemental request which would include language to "Research, Development, Test and Evaluation, Navy" to permit funds be used for the Special Operations Forces requirements related to the V-22.

Section 302 of the Committee bill amends a general provision requested in the supplemental request concerning obligation of funds in the Defense Cooperation Account to be transferred, following prior notification to the congressional defense committees, to other appropriations accounts.

Section 303 of the Committee bill amends a general provision requested in the supplemental request which allows the President to waive certain certification requirements required in the Cooperative Threat Reduction Act and the Freedom Support Act.

Section 304 of the Committee bill includes a general provision requested in the supplemental request concerning funds for intelligence related programs.

Section 305 of the Committee bill amends a general provision requested in the supplemental to change the deadline for submitting a request for multiple reprogrammings to the Congress.

Section 306 of the Committee bill includes a general provision requested in the supplemental request which makes funds available in "Chemical Agents and Munitions Destruction, Army" available for the payment of costs for international inspectors.

Section 307 of the Committee bill amends a general provision requested in the supplemental request which allows broader authority to the Department of Defense for assistance to Colombia.

Section 308 of the Committee bill includes a new general provision which provides \$93,000,000 to acquire three MH-47 helicopters for the Special Operations Command. The Committee is aware that there is an urgent need for a total of nine additional MH-47s to support current mission requirements. The Committee has been advised that three CH-47D helicopters are being purchased and modified to the MH-47 configuration with Defense Emergency Response Funds previously provided by the Committee, and that the funding provided in this bill will allow for the purchase and modification of an additional three helicopters. The Committee directs the Secretary of Defense to provide a report to the congressional defense committees outlining the Department's plans to acquire additional MH-47 helicopters to meet these urgent requirements not later than 30 days after enactment of this act.

Section 309 of the Committee bill includes a new general provision which provides \$100,000,000 to accelerate chemical agent destruction programs.

Section 310 of the Committee bill includes a new general provision which rescinds \$29,000,000 of prior year appropriations in "Other Procurement, Air Force, 2001/2003" and \$30,000,000 in "Procurement, Defense-Wide, 2002/2004."

Section 311 of the Committee bill includes a new general provision which states that Section 2533a of title 10 does not apply to Section 8159 of Public Law 107-117.

Section 312 of the Committee bill amends a general provision requested in the supplemental request, and provides authority for the Secretary of Defense to use funds available in the "Defense Emergency Response Fund" to reimburse cooperating nations for logistical and military support provided to the United States military in connection with the war on terrorism.

As provided for in section 312, "goods and services" includes the provision to U.S. forces of items such as petroleum, oil and lubricants, ground transportation, airlift, base operations support, spares and components replenishment, repair and maintenance, communications and communications services, ammunition, special rations food, special climate clothing, and surveillance and intelligence support.

The Administration's supplemental request proposed a new general provision to amend Section 8052(b) of the Department to Defense Appropriations Act for fiscal year 2002, which prohibits the establishment of a field operating agency except in cases where the Secretary of Defense certifies that granting a waiver to establish a field operating agency will result in reduced personnel or financial requirements for the Department. The Administration proposed adding a third waiver provision, the intent of which was to permit the establishment of a new field operating agency, the Pentagon Force Protection Agency (PFPA) in fiscal year 2002, with the goal of providing enhanced security of defense facilities and personnel in the National Capital Region, in particular the Pentagon Reservation. The security is currently provided by the Washington Headquarters Services, as augmented by military police units of the Reserves and National Guard.

The Committee bill does not include the requested general provision. The Committee wants to ensure that the direction taken to enhance security for defense facilities and personnel in the Na-

tional Capital Region, including the Pentagon Reservation is based upon a thorough analysis that is carefully crafted, executed and reviewed. The Committee directs the Secretary of Defense to submit a report to the congressional defense committees within 30 days of enactment of this Act, on the cost, necessity, and expected benefits of establishing the Pentagon Force Protection Agency. The Committee expects this report to include a description of how a new organization would operate compared to the operations currently managed by the Washington Headquarters Services, why this organization would be expected to provide better security protection than under the previous management structure, a comparison of civilian and military personnel assigned to security services under the old and new structures, a comparison of total costs under the old and new structures for providing security in the national capital region for fiscal years 2001 and 2002, and expected annual costs for 2003–2008 by service and by major expense category, and a description of technology upgrades that have been or will be employed to reduce overall personnel costs and improve security.

CHAPTER 4

DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

GOVERNMENTAL DIRECTION AND SUPPORT

The Committee amends language contained in the District of Columbia Appropriations Act, 2002 to allow the funds provided to the Office of the Corporation Counsel to be used to support attorney compensation consistent with performance measures contained in a negotiated collective bargaining agreement.

PUBLIC EDUCATION SYSTEM

(RESCISSION)

The Committee rescinds \$37,000,000 of the Public Charter School surplus. This surplus resulted from a lower than projected student enrollment and will be used to address shortfalls in the Child and Family Services Agency and the Department of Mental Health.

HUMAN SUPPORT SERVICES

From funds rescinded under the public education system, the Committee recommends \$11,000,000 for the Child and Family Services Agency to address increased adoption case rates, higher case loads for adoption, and emergency group home utilization and \$26,000,000 for the Department of Mental Health to address a Medicaid revenue shortfall.

REPAYMENT OF LOANS AND INTEREST
(RESCISSION)

The Committee rescinds \$7,950,000 from repayment of loans and interest. This funding is available due to lower interest rates and borrowing.

CERTIFICATES OF PARTICIPATION

From funds rescinded under repayment of loans and interest, the Committee recommends \$7,950,000 to be used for certificates of participation.

ADMINISTRATIVE PROVISION

The Committee amends language contained in the District of Columbia Appropriations Act, 2002 to allow grants to be delivered after 14 calendar days of receipt by Council (barring no written notice of disapproval by a Council member) instead of requiring Council to pass a law to approve every grant notification submitted for approval.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 401. The Committee includes a provision to allow the District of Columbia to use up to 1 percent of the funds appropriated to the District of Columbia under the Department of Defense and Emergency Supplemental Appropriations for Recovery From and Response to Terrorist Attacks on the United States Act, 2002 to fund the administrative costs that are needed to fulfill the purposes of that Act.

Sec. 402. The Committee amends language contained in the District of Columbia Appropriations Act, 2002 to clarify that the DC Courts are allowed to transfer 50 percent of the fund balance from the Crime Victims Compensation Fund to the District's newly established Crime Victims Fund for outreach activities.

Sec. 403. The Committee includes a provision to allow any funds not required to meet the seven percent cash reserve balance to be used to address potential deficits in addition to Pay-As-You-Go Capital Funds.

CHAPTER 5

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

The Committee has provided \$128,400,000 for the Corps of Engineers to continue to undertake security improvements at its facilities. The funds will be used for continuing assessments of security requirements, the implementation of Department of the Army force protection standards at critical infrastructure projects and other facilities, and for increased requirements under the Corps' National Emergency Preparedness Program. The Committee has also included language which would permit these funds and funds appro-

priated under Public Law 107–117 to be used at any facility owned or operated by, or on behalf of, the Corps of Engineers, including administrative buildings and facilities. The entire amount has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The availability of these funds is contingent on receipt of a budget request from the President designating the requested funds as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

SCIENCE

The Committee has provided an additional \$29,000,000 for the Office of Science to enhance safeguards and security at DOE Science laboratories. These funds are to be used to provide additional physical and cyber security to protect vulnerable facilities, materials, and information. The Administration's supplemental request included no additional funds for this activity.

The availability of these funds is contingent on receipt of a budget request from the President designating the requested funds as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

The Committee has provided an additional \$125,400,000 for Weapons Activities, an increase of \$106,000,000 over the budget request. The recommendation includes the budget request of \$19,400,000 for nuclear weapons incident response and emergency response activities.

Additional funding of \$18,000,000 has been provided for secure transportation of nuclear weapons and nuclear materials.

Additional funding of \$88,000,000 has been provided for increased safeguards and security needs at the Department's nuclear weapons facilities in fiscal year 2002. Of this funding, a minimum of \$15,000,000 is provided for the Pantex Plant in Texas and \$30,000,000 for the Y-12 Plant in Tennessee.

Funding of \$19,400,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. The availability of the remaining \$106,000,000 is contingent on receipt of a budget request from the President designating the entire amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEFENSE NUCLEAR NONPROLIFERATION

The Committee has provided an additional \$5,000,000 for Defense Nuclear Nonproliferation to enhance international safeguards activities. The Administration's supplemental budget request included no additional funds for these activities. In addition to the

new funding of \$5,000,000, the Committee directs the Department to provide an additional \$10,000,000 from within available funds for international safeguards activities. The \$10,000,000 includes \$6,000,000 to be derived from funds appropriated in fiscal year 2001 to construct a civilian spent nuclear fuel storage facility which has been cancelled and \$4,000,000 from unobligated balances in the defense nuclear nonproliferation program.

An important complement to the United States campaign against nuclear proliferation and nuclear terrorism is the International Atomic Energy Agency's (IAEA) role in establishing nuclear safeguards to protect non-Russian plutonium and uranium in facilities around the world. The Department of Energy plans to expand its support to IAEA nuclear material security programs. To expedite this effort, the Committee has provided a total of \$15,000,000. Funding of \$6,000,000 is provided for the U.S.-DPRK Agreed Framework; \$4,000,000 is provided for additional IAEA safeguards and nonproliferation policy support for specific countries under safeguards; and \$5,000,000 is provided for nuclear materials security programs in IAEA member countries.

The Committee directs that within fifteen days of enactment of this Act, the Deputy Administrator for Defense Nuclear Nonproliferation shall submit a report to the Armed Services and Appropriations Committees of Congress to indicate which nuclear non-proliferation programs were reduced to implement this direction and by what amounts.

The total of \$15,000,000 provided above for International Safeguards, plus the amount appropriated by Congress in the Energy and Water Development Appropriations Act for fiscal year 2002 for International Safeguards, is hereby designated to be of special Congressional interest. These funds may only be used for International Safeguards and may not be reprogrammed to other purposes. The Committee further directs the Secretary of Energy to ensure that the additional funds provided in this bill are obligated by September 30, 2002 for the specific purposes identified by the Committee.

It is the Committee's intent that these additional funds be used in a manner that provides demonstrable near-term results in improving global security of nuclear materials. To that end, until further notice, the Committee directs the Deputy Administrator for Defense Nuclear Nonproliferation to submit a monthly report to the Armed Services and Appropriations Committees of Congress on the status of these funds, the specific activities initiated, and the status of each activity until completed.

The availability of these funds is contingent on receipt of a budget request from the President designating the requested funds as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The Committee has provided an additional \$67,000,000 for Defense Environmental Restoration and Waste Management to enhance safeguards and security at several Department of Energy environmental management cleanup sites. These funds are to be used

to provide additional physical and cyber security to protect vulnerable facilities, materials, and information. The Administration's supplemental budget request included no additional funds for these activities.

The availability of these funds is contingent on receipt of a budget request from the President designating the requested funds as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEFENSE FACILITIES CLOSURE PROJECTS

The Committee has provided an additional \$16,600,000 for Defense Facilities Closure Projects to enhance safeguards and security at several Department of Energy sites. These funds are to be used to provide additional physical and cyber activity security to protect vulnerable facilities, materials, and information. The Administration's supplemental budget request included no additional funds for these activities.

The availability of these funds is contingent on receipt of a budget request from the President designating the requested funds as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEFENSE ACTIVITIES

The Committee has provided an additional \$7,000,000 for Other Defense Activities for critical energy security and assurance activities, the same as the budget request. Of these funds, \$4,200,000 is to fund vulnerability assessments of critical energy infrastructure sites around the Nation; \$1,800,000 is to provide training for energy emergencies; and \$1,000,000 is for the program direction account to fund Federal employees and related logistical support necessary to implement critical energy assurance activities.

The entire amount has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 6

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

The Committee recommendation includes \$200,000,000, to remain available until December 30, 2002, for emergency expenses for activities related to combating AIDS, tuberculosis, and malaria. Bill language is also recommended that provides that funds made available in this or prior Acts under this heading and under the heading "Child Survival and Disease Program Fund" for the Global Fund to Fight AIDS, Tuberculosis, and Malaria shall not exceed 40 percent of the total resources pledged by all donors to the Global Fund for calendar year 2002. In addition, the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit

Control Act of 1985, as amended, and shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in said Act is transmitted by the President to the Congress.

INTERNATIONAL DISASTER ASSISTANCE

The Committee is recommending \$190,000,000 for "International Disaster Assistance", rather than \$40,000,000 as requested by the President. These funds include \$150,000,000 for activities in Afghanistan and, if feasible, not to exceed \$40,000,000 in adjacent Federally Administered Tribal Areas (FAA) in Pakistan. The President requested \$40,000,000 for projects in FATA under the heading "Economic Support Fund". These funds would be available for obligation until September 30, 2003, and would become available for obligation only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

The Committee notes that in several appropriations accounts, including "International Disaster Assistance", the President's request specifies that supplemental funds would be available for obligation until September 30, 2002. The only exceptions are funds requested in several accounts for assistance for Afghanistan. The Committee strongly supports the programming and obligation of supplemental funds prior to the end of the current fiscal year, and has only provided flexibility in an effort to avoid the unintentional lapse of funds due to events beyond the control of the implementing agencies.

The funds for Pakistan had been requested under "Economic Support Fund," to be administered by the Bureau of International Narcotics and Law Enforcement Affairs. However, the activities to be funded primarily include transportation and communications infrastructure. These activities are more appropriately administered by the United States Agency for International Development.

AFGHANISTAN

The Committee recognizes that the situation in Afghanistan is extremely fluid, and is providing additional reconstruction assistance using the most flexible vehicle available, the United States Agency for International Development's International Disaster Assistance account.

The Committee is aware that the fundamental necessary condition for full-scale implementation of our relief and reconstruction effort is the restoration of basic security in Afghanistan, for which funds are provided under other headings. The Committee further recognizes that relief and reconstruction in Afghanistan requires advancing on several programmatic fronts simultaneously in order to overcome the effects of more than two decades of war and inter-ethnic strife. Our efforts, in the current context in Afghanistan, will require:

- Continued food and other humanitarian relief for the foreseeable future, certainly for at least the coming year, to save lives and reduce human suffering;

- Ongoing, focused support for the millions of Afghans who have returned from refugee status or internal displacement to reclaim their lives and lands, and who will require sustained help to reintegrate into their former communities;
- Strategic investment in the rebuilding of key parts of Afghanistan's infrastructure, especially essential bridges and road segments, both to illustrate a visible "peace dividend" and to provide the sinews for economic revitalization;
- Immediate revitalization of the agricultural economy, which sustains 85 percent of the population, and which can show the highest short-term return on reconstruction investments;
- Rehabilitation of the educational system, with a special emphasis on girls education, will build on the early successes in the spring "back to school" campaign;
- A significant investment in basic healthcare, with an emphasis on maternal and child health, both to improve living conditions, and to contribute to economic recovery;
- Direct support to rebuilding the capacity of Afghanistan's governmental institutions, especially the ministries of the Afghan Interim Authority and the future Transitional Administration, which have been destroyed by conflict and misuse, as well as the capacity of non-governmental public institutions; and,
- Changes to legal regimes and policy frameworks, and fiscal and monetary policy reforms, to stimulate both domestic and foreign private investment, without which long-term economic recovery will not be sustainable.

As security and other conditions allow for the extension of relief and reconstruction activities, the Committee continues to urge that special attention be given, in all of the activities outlined above, to the role of women in the rebuilding of Afghanistan. The Committee continues to believe that women, in addition to having suffered greatly during the past 23-year conflict, constitute the greatest underutilized asset in Afghanistan. The range of activities that focus on healthcare for women, microcredit and other entrepreneurial activities, income generating opportunities for vulnerable women, education, and full participation should be expanded with the additional funds provided herein. Moreover, the impact on women of all relief and reconstruction activities funded herein, and the role of women in those activities, should be an essential part of program design and implementation. The Committee believes that the newly formed Ministry of Women's Affairs can serve as a vital focal point for support to Afghan women, and urges priority support for the Ministry and its legal advocacy, education, and vocational training programs. The work of the Ministry is critical to the rebuilding of a peaceful, democratic Afghanistan in which women and girls have full rights.

The Committee recognizes that the uncertain security environment in Afghanistan will continue to place practical limitations on activities in fiscal year 2002, and perhaps into the future. Without diminishing these legitimate security concerns, the Committee expects that the United States Agency for International Development and other agencies engaged in essential relief and reconstruction activities will, with due regard for the personal safety of its per-

sonnel, create and maintain a sufficiently robust program platform in Kabul and outlying regions of Afghanistan to permit program development and execution to proceed as rapidly as possible. An improved security situation both in Kabul and outlying areas would enable private humanitarian and development organizations, as well as officials, to more safely expand and continue their work, and to enhance the ability of the Transitional Authority to govern.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT

The Committee is recommending \$7,000,000 for “Operating Expenses of the United States Agency for International Development”, as requested. These funds would be used to implement programs recommended elsewhere in this chapter, and for security costs in Afghanistan and Pakistan.

OTHER BILATERAL ECONOMIC ASSISTANCE
ECONOMIC SUPPORT FUND

The Committee is recommending \$460,000,000 for “Economic Support Fund”, to remain available until September 30, 2003.

Funds appropriated under this heading, and funds appropriated under this heading in prior Acts that are made available for the purposes of this paragraph, may be made available notwithstanding section 512 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 or any similar provision of law. The President’s budget request had included a provision to make these funds available notwithstanding any other provision of law. However, the Committee is reluctant to provide such a sweeping waiver of existing law without adequate justification. According to information obtained during a hearing on April 18, 2002, with the Deputy Secretary of State, the major impediment to the obligation of funds under this account is the so-called “Brooke amendment”, which prohibits assistance to countries that are not current in debt payments to the United States. Therefore the waiver included in the Committee recommendation specifically cites this provision and any similar provision of law.

The Committee recommendation does not include \$25,000,000 of the \$50,000,000 requested for the Middle East Economic Initiative (MEEI). While the Committee strongly supports the goals of this program, it notes that \$5,140,200,000 has been allocated during fiscal year 2002 for programs in the Middle East. It expects that much of this funding should be made available for maximizing economic and educational opportunity, strengthening civil society and the rule of law, and providing support for necessary economic policy, as provided for under the proposed new initiative. In addition, there is no indication that follow-on funds will be made available for this initiative in fiscal year 2003. While the Committee would support the use of a portion of these funds for pilot programs in the region, it is recommending that \$25,000,000 be made available for urgent needs in Afghanistan under “International Disaster Assistance”. Within the \$25,000,000 remaining for this initiative, the Committee strongly supports the funding of additional scholarships for foreign students at American educational institutions in the Middle East, including scholarships for students from central Asia.

In addition, to the extent that funds are programmed for promoting a fair and free media, emphasis should be placed on countering erroneous and negative press about the United States and our allies.

In addition, the Committee is recommending that \$40,000,000 requested in this account for support for tribal areas in Pakistan be provided under "International Disaster Assistance", to be administered by the United States Agency for International Development. To the extent that such funds cannot be programmed in Pakistan, they should be made available for additional reconstruction assistance in Afghanistan.

The Committee recommendation includes an additional \$250,000,000 for "Economic Support Fund", to remain available until September 30, 2003. Of these funds, \$200,000,000 shall be made available for assistance for Israel for activities relating to combating international terrorism. In addition, \$50,000,000 shall be transferred to "International Disaster Assistance" to be made available for humanitarian and refugee assistance for the West Bank and Gaza. None of the funds provided for the West Bank and Gaza shall be available for assistance for the Palestinian Authority. The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

ACTIVITIES OF THE NATIONAL ENDOWMENT FOR DEMOCRACY IN
VENEZUELA

The Committee is aware of concerns regarding recent activities supported by the National Endowment for Democracy in Venezuela. The Committee understands that the State Department Office of Inspector General (OIG) is currently conducting a comprehensive review of those activities. The Committee directs the OIG to submit a report on the findings of this review to the Committee by July 31, 2002. The Committee strongly encourages the State Department to withhold transfer of any funds from the Economic Support Fund to NED for activities in Venezuela until this report has been received by Congress.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET
UNION

The Committee is recommending \$110,000,000 for "Assistance for the Independent States of the Former Soviet Union", as requested. These funds would remain available for obligation until September 30, 2003.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The Committee is recommending \$120,000,000 for "International Narcotics Control and Law Enforcement". These funds would remain available for obligation until September 30, 2003.

The Committee strongly supports the request of \$25,000,000 for assistance to Mexico in order to improve border infrastructure and security. The assistance will also be of direct benefit to the southwest border region of the United States. In programming such assistance, the Committee strongly encourages the Department of State to consult closely with U.S. communities along the southwest border and, prior to obligating the funds, provide the Committee a detailed expenditure plan to ensure strong accountability of this funding. In addition, while the request specifies that additional infrastructure will be targeted at high-volume ports of entry, the budget justification neglects to mention the border crossings near Nogales and Douglas, Arizona. The Committee strongly supports funding of improvements at these important ports of entry to improve border security and reduce illegal immigration and drug smuggling, improve health care opportunities for border residents and reduce the need for Mexicans to enter the U.S. for medical attention, and reduce wait times at the ports of entry.

The Committee recognizes the troubling situation facing many internally displaced persons (IDPs) in Colombia. It is the Committee's understanding that the number of IDPs is multiplying as the civilian population bears much of the burden of the civil strife. Therefore the Committee recommends that out of the funds appropriated under this or other appropriate headings in this chapter, up to \$10,000,000 be made available to the State Department for emergency IDP needs.

Additionally, the Committee is concerned that the sustainment and maintenance costs of the C-130 transport planes for counterdrug aviation operations are not being funded. Therefore the Committee recommends up to \$10,000,000 from funds appropriated under this heading should be made available for these purposes.

The funds requested for U.S. assistance for Colombia for training and equipping Colombian Quick Reaction Forces as part of the Colombian Government's Infrastructure Protection program are included under this heading.

MIGRATION AND REFUGEE ASSISTANCE

The Committee is recommending \$10,000,000 for "Migration and Refugee Assistance" for emergency expenses for activities related to refugee assistance in and around Afghanistan, to remain available until September 30, 2003. The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress. The Committee is very concerned that adequate resources are not available to handle refugee assistance and resettlement activities in Afghanistan, and is recommending these funds to respond to these emergency needs.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The Committee is recommending \$83,000,000 for “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, as requested. These funds would remain available for obligation until September 30, 2003. Prior to the obligation of the \$20,000,000 requested for Antiterrorism Assistance Mobile Emergency Training Teams, the Committee requests that the Department of State inform the Committees on Appropriations of the amount of such funds that would be made available for administrative costs.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The Committee is recommending \$366,500,000 for “Foreign Military Financing Program”. Funds appropriated under this heading, and funds appropriated under this heading in prior Acts that are made available for the purposes of this paragraph, may be made available notwithstanding section 512 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 or any similar provision of law. In addition, the Committee has included language to provide the Department of Defense with the authority to use \$2,000,000 requested by the President for the general costs of administering overseas military assistance programs. The Committee has recommended a \$6,000,000 reduction in the President’s request for Foreign Military Financing. These funds are requested as part of the U.S. assistance for Colombia for training and equipping Colombian Quick Reaction Forces as part of the Colombian Government’s Infrastructure Protection program. The Committee includes these funds under the heading “International Narcotics Control and Law Enforcement”.

PEACEKEEPING OPERATIONS

The Committee is recommending \$20,000,000 for “Peacekeeping Operations,” to remain available until September 30, 2003. Funds appropriated under this heading, and funds appropriated under this heading in prior Acts that are made available for the purposes of this paragraph, may be made available notwithstanding section 512 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 or any similar provision of law.

The Committee recommendation does not include \$8,000,000 requested for the training and equipping of a domestic peacekeeping force for Indonesia. The Committee strongly supports appropriate programs to support internal counterterrorism activities by the Government of Indonesia. However, \$8,000,000 for this purpose has been requested, and is being recommended, under “Nonproliferation, Anti-terrorism, Demining and Related Programs” and is limited to law enforcement agencies. The request for funding under “Peacekeeping Operations” would have included training and equipping of Indonesian military units for internal security activities.

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

SPECIAL PAYMENTS TO THE INTERNATIONAL FINANCIAL INSTITUTIONS
(RESCISSION)

The Committee recommendation provides that the unobligated balances of funds provided in Public Law 92-301 and Public Law 93-142 for maintenance of value payments to international financial institutions are rescinded. The President's request specified that \$157,000,000 in unobligated funds would be canceled; however, the Committee is aware that \$159,000,000 is available for rescission and has so recommended.

GENERAL PROVISIONS—THIS CHAPTER

Under Section 601, the Committee recommendation includes language that provides that fiscal year 2002 funds and unexpired balances and assistance previously provided from prior years' Acts shall be available to support a unified campaign against narcotics trafficking, activities by designated terrorist organizations, and activities threatening human health and welfare.

The new authorities provided are intended to be used against terrorist organizations identified through the State Department's processes. However, the Committee recognizes that in certain emergency situation, such as kidnappings, the use of United States assets may be required before the affiliation of the perpetrators has been determined.

The Committee expects this authority will be continued in fiscal year 2003 unless the new government of Colombia fails to commit itself to the counterdrug and security policies of the Pastrana administration. The Committee also notes that these authorities will continue to be in effect in the event a continuing resolution is necessary for a portion of 2003.

The notwithstanding authority requested by the President is not included because the Committee has determined it is not needed in 2002 and prior years under the current circumstances. If future events bring about the need for such notwithstanding authority, the Committee expects the Administration to consult with the Committee at that time.

The Committee recommendation does not include two general provisions requested by the President that would have authorized the use of certain funds appropriated to the Department of Defense to support foreign nations and indigenous forces by providing defense articles, services, and training. The primary responsibility of the Secretary of State for foreign assistance, and in particular military assistance, is well established. Existing provisions of law under the Foreign Assistance Act, the Arms Export Control Act, and annual acts making appropriations for foreign operations, export financing, and related programs, already provide sufficient authority for the purposes identified in the President's request.

Under section 602, the Committee is recommending that a total of \$60,000,000 be rescinded from funds appropriated under the headings "Development Assistance" and "Economic Support Fund" in title II of the Foreign Operations, Export Financing, and Related

Programs Appropriations Act, 2000 and in prior Acts making appropriations for foreign operations, export financing, and related programs.

Under section 603, the President shall transmit a report within 30 days after the date of enactment of this Act to the appropriate congressional committees on the United States policy and strategy to assist Colombia as well as to achieve a robust security environment in the Andean region. The report shall address the key objects of United States assistance to the Government of Colombia, the actions required by the United States to support and achieve those objectives, as well as a time schedule and cost estimates for implementing such actions, the role of the United States in the efforts of the Government of Colombia to provide security within the country, and how the strategy regarding Colombia relates to and affects the strategy of the United States.

Under sections 604 and 605, the Committee requires the President to submit not later than July 31, 2002, his determination whether the United Nations Population Fund supports or participates in the management of a program of coercive abortion or involuntary sterilization.

REPORTING AND NOTIFICATIONS

The Committee expects the Department of State and the United States Agency for International Development will implement programs, projects and activities recommended in this chapter consistent with the budget justification material submitted to the Congress, as modified by this recommendation. Any proposed changes in funding for programs, projects, and activities should be reported to the Committees on Appropriations in conformance with regular notification procedures. In addition, the Committee requests that the Administration submit a financial plan regarding the use of these funds within 30 days of the enactment of this Act.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The Committee recommends \$658,000 for Management of Lands and Resources, as an emergency contingent appropriation, to repay unreimbursed law enforcement costs for security details at the main Department of the Interior building in Washington, DC.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The Committee recommends \$1,443,000 for Resource Management, as an emergency contingent appropriation, to repay unreimbursed airport security detail overtime costs; to repay unreimbursed law enforcement costs for security detail overtime costs; to repay unreimbursed law enforcement costs for security details at the main Department of the Interior building in Washington, DC;

and to reimburse continuity of operations costs at the National Conservation Training Center.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The Committee recommends \$1,173,000 for Operation of the National Park System, as an emergency contingent appropriation, to repay unreimbursed law enforcement costs for security details at the main Department of the Interior building in Washington, DC.

CONSTRUCTION

The Committee recommends \$19,300,000 for Construction, as an emergency contingent appropriation, for a security screening facility at the Washington Monument.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The Committee recommends \$25,700,000 for Surveys, Investigations, and Research, as an emergency contingent appropriation, for infrastructure mapping in 120 urban areas across the United States.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING RESCISSION OF FUNDS)

The Committee recommends \$134,000 for Operation of Indian Programs, as an emergency contingent appropriation, to repay unreimbursed law enforcement costs for security details at the main Department of the Interior building in Washington, DC.

The Committee also recommends that \$5,000,000 in previously appropriated funds for electric power operations and related activities at the San Carlos Irrigation Project be rescinded and the balance be redirected to pay trust reform-related costs associated with the ongoing Cobell litigation or other litigation relevant to the management of Indian trust funds.

DEPARTMENTAL OFFICES

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The Committee recommends \$905,000 for Salaries and Expenses, as an emergency contingent appropriation, including \$785,000 for the Department of the Interior Office of Homeland Security and \$120,000 to repay unreimbursed law enforcement costs for security details at the main Department of the Interior building in Washington, DC.

RELATED AGENCY

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

The Committee recommends \$11,000,000 for Salaries and Expenses, as an emergency contingent appropriation, for security improvements at Smithsonian facilities and for ongoing security operations.

CONSTRUCTION

The Committee recommends \$2,000,000 for Construction, as an emergency contingent appropriation, for Pod 5 planning and design. This facility is critically needed to provide sensitive materials storage.

GENERAL PROVISIONS—THIS CHAPTER

Section 701 directs that previously appropriated emergency funds, for wildland fire research activities and capital improvement and maintenance of fire facilities, be released to the Forest Service within 10 days of enactment of this Act.

Section 702 prohibits the use of funds, except funds appropriated to the Office of Management and Budget, to study the transfer of research activities from the Smithsonian Institution to the National Science Foundation.

Section 703 provides authority to the U.S. Fish and Wildlife Service to charge fees for services at Midway Atoll National Wildlife Refuge and to use those receipts for non-refuge specific needs. The airfield at Midway shut down at the beginning of May 2002 when the cooperator that had been in charge of operations there terminated its agreement with the Service. This receipts authority will enable the Service to continue airfield operations and other activities under new cooperative arrangements without adversely impacting funding for refuge operations.

Section 704 provides for reciprocal treatment of foreign firefighters in this country and U.S. Federal firefighters on official duty in foreign countries with respect to liability issues.

Section 705 prohibits the Department of Defense from being held responsible for civilian water consumption that is outside the boundaries of a military installation and beyond the direct authority and control of the Secretary of Defense for purpose of the Endangered Species Act.

CHAPTER 8

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING SERVICES

TRAINING AND EMPLOYMENT SERVICES

The Committee recommends \$300,000,000 to assist dislocated workers, \$450,000,000 less than the request. Of the total, \$190,000,000 is available for obligation through September 30, 2003. In addition, \$110,000,000 is available for obligation through

June 30, 2002 for carrying out section 132(a)(2)(B) of the Workforce Investment Act of 1998 (WIA).

The Committee recommends an additional \$190,000,000 for dislocated workers assistance, provided through National Emergency Grants and targeted industry multi-state and multi-service projects relating to the employment and training needs of dislocated workers. These projects would target high-growth sectors of the economy where worker shortages exist and involve a partnership among business, the state workforce investment system, the Department of Labor, and high-quality training providers, including community colleges.

National Emergency Grants are flexible and enable the Secretary of Labor to respond to State requests and target funds where the need is greatest. NEGs provide Governors with flexibility to quickly meet the needs of dislocated workers in their particular states, including job training, reemployment services, and support payments. Currently applications for National Emergency Grants exceed available resources. The supplemental funds recommended for National Emergency Grants will meet immediate needs.

The Committee urges the Department of Labor to strongly consider the request for renewal of the Fishing Industry Retraining Project. The grant for this project should provide the most flexibility possible in terms of the use of these resources to help these workers and their families during the transition to a restructured industry or new employment.

The Committee urges the Secretary of Labor to use funding available through the dislocated worker provisions in the Workforce Investment Act of 1998 to support projects to provide reemployment and training services to airport security screeners who are dislocated due to the requirements in P.L. 107-71. The Committee urges the Secretary to proceed expeditiously, since P.L. 107-71 requires the Department of Transportation to federalize airport security in one year from the date of enactment on November 19, 2001.

The Committee recommendation does not include the request of \$40,000,000 for transfer to the Economic Adjustment Program in the Department of Commerce.

The Committee has also included \$110,000,000 to provide grants to states and local areas for dislocated worker assistance, authorized under section 132(a)(2)(B) of WIA. These funds will restore the rescission that was included in Title II, chapter 7 of P.L. 107-20. The Committee understands that these funds are now needed as a result of the economic downturn and concurrent increase in dislocated workers.

In the House Report on the FY 2002 Labor, Health and Human Services, and Education Appropriations Bill, the Committee had brought to the attention of the Secretary of Labor the critical need for timely and accurate data in order to fulfill the Committee's oversight responsibilities. While the Committee has seen some improvement in the provision of materials relating to Committee hearings, the Committee is most disappointed that the Department of Labor has failed to respect other express concerns, particularly in regard to numerous requests from staff for information in support of the Administration's request for emergency FY 2002 supplemental appropriations for the Employment and Training Adminis-

tration. In at least one instance, the Department of Labor has refused to supply information pertaining a portion of the Administration request. The Committee directs the Secretary of Labor to take immediate action to ensure that the Department of Labor is more forthcoming in response to requests from the Congress for information. As noted above, the Committee will not recommend large expenditures of public funds without proper justification.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The Committee does not include the Administration's proposal to cancel \$20,000,000 of fiscal year 2002 funding for the Community Access Program (CAP). The Committee intends that new CAP grants be supported in fiscal year 2002.

The Committee makes the following corrections and clarifications to P.L. 107-116 and the accompanying conference report:

The Committee has inserted reference in the bill to title IV of the Public Health Service Act to authorize the Health Resources and Services Administration (HRSA) to carry out Section 417C of the Public Health Service Act (42 U.S.C. 285a-9). Funds appropriated in P.L. 107-116 are to be used for grants for education, prevention, and early detection of radiogenic cancers and diseases, of which \$1,000,000 shall be available to enter into a cooperative agreement with the National Research Council under which the Council shall: (1) provide technical assistance to HRSA and its grantees on improving accessibility and quality of services and (2) report to HRSA on the most recent scientific information related to radiation exposure and associated cancers or other diseases, with recommendations for improving services for exposed persons.

The Committee has transferred \$315,000 from the health facilities construction and renovation account to the rural health outreach grant program. These funds are to be used to support the Children's Health Fund.

The Committee has transferred \$2,000,000 from the rural health research grant program to the health facilities construction and renovation account. These funds are to be used to support the Raleigh County, West Virginia County Commission for an educational mall to serve as a coordinating and research location for rural health initiatives, especially in preventive medicine.

The Committee has transferred \$2,000,000 from the Telehealth grant program to the health facilities construction and renovation account. These funds are to be used to support the University of South Dakota School of Medicine.

The Committee has transferred \$330,000 from the health facilities construction and renovation account to the rural health outreach grant program. These funds are to be used to support the University of Northern Colorado Low-Incidence Disabilities Center.

As a result of these transfers, the total funding for health construction and renovation identified in the bill increases from \$311,978,000 to \$315,333,000.

The Committee clarifies that the awardee for the National Center for Health Care Informatics is St. James Health Care rather

than the University of Montana. The Committee also clarifies that the awardee for the Center for Delta Health project is Mississippi State University.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH AND TRAINING

The Committee appreciates the input CDC has solicited in initiating the development of a health tracking network. The Committee encourages the Director of CDC to assure that all of the relevant centers, institutes, and offices within the agency be included in the development, testing, and implementation of this nationwide project.

The Committee encourages the Secretary of Health and Human Services to work with organizations that offer an approved proficiency testing program under section 353 of the Public Health Service Act and consider the development of a proficiency testing program for the identification of select agents that may be used in a bioterrorism event.

The Committee has included \$1,000,000 for the Centers for Disease Control and Prevention, to be used to accelerate and expand work related to prion diseases, a category which includes Creutzfeld-Jakob Disease in humans and BSE, scrapie and Chronic Wasting Disease in animals, among others. The Committee has decided to supplement the funds currently available at CDC for this work because recent cases in animal populations lend increased urgency to improving understanding of this group of diseases. While there are no known human cases of Creutzfeld-Jakob disease resulting from consumption of animal products in the United States, the Committee also believes it prudent to take preventive steps to increase human prion disease surveillance. These funds are to be used for purposes such as providing financial and technical assistance to state health departments to improve prion disease surveillance, enhancing applied laboratory research on diagnostic methods to assess transmission of prion diseases to humans, and supporting CDC technical assistance.

NATIONAL INSTITUTES OF HEALTH

OFFICE OF THE DIRECTOR

The Committee is aware of the beneficial projects supported by the Foundation for the National Institutes of Health and recommends that NIH allocate up to \$500,000 of the funds appropriated for the Office of the Director to provide administrative support for the Foundation.

BUILDINGS AND FACILITIES

(RESCISSION)

The Committee proposes to rescind \$30,000,000 of funding in this account. The Administration had proposed to "cancel" \$30,000,000. The Committee intends that \$9,300,000 be rescinded from safety and regulatory compliance and repairs and improvements and \$20,700,000 be rescinded from the Phase I renovation of Building 10.

The Committee has been briefed on an approximate \$145,000,000 cost increase to the National Institutes of Health (NIH) Clinical Research Center (CRC). There will also be a delay of approximately one year in completing the facility. NIH has commissioned a number of outside reviews of the project which have validated the revised costs and schedule. Improved clinical research is very much needed to improve medical care in the U.S. For that reason, completion of the CRC is a high priority for the Committee. The Committee expects a report within 30 days on how HHS intends to finance the cost increase. The Committee also understands that the HHS Inspector General is reviewing the project and would appreciate a copy of that report when it is available.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

The Committee understands that implementation of the appeals process created by the Benefits Improvement and Protection Act [BIPA] of 2000 has substantial costs that have not been included in the FY03 budget request. The Committee requests a report from the Secretary of Health and Human Services within 30 days of enactment of this Act about what the precise FY03 costs of BIPA appeals are and how the Administration intends to support them within the FY03 budget request.

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

The Committee has included an additional \$500,000 as a contingent emergency appropriation for the Domestic Violence Hotline.”

OFFICE OF THE SECRETARY

The Committee urges the Department to work with predominantly and historically Black colleges and universities in the agency-wide bioterrorism efforts, including, but not limited to research, training and health care service delivery; distance learning, and assisting State, local and other entities in improving the capacity to respond to an emergency.

DEPARTMENT OF EDUCATION

SCHOOL IMPROVEMENT PROGRAMS

The Committee recommends a technical change to specify the amount available for the Fund for the Improvement of Education and the Cooperative Education Exchange program.

The Committee also recommends technical changes relating to projects specified in the statement of the managers on the conference report accompanying the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2002.

STUDENT FINANCIAL ASSISTANCE

The Committee includes an additional \$1,000,000,000 for Pell Grants to provide for a funding shortfall resulting from a larger-than-expected increase in the number of independent students applying and qualifying for the Pell Grant program in a worsening

economy and following the terrorist attacks on September 11, 2001. These funds will help retire the shortfall and provide sufficient resources to maintain the maximum Pell Grant at \$4000 in school year 2002–03. The Administration proposed \$1,276,000,000 in supplemental funding for Pell Grants, but was derived by reductions in other education projects and programs.

HIGHER EDUCATION

The Committee recommends technical changes relating to projects specified in the statement of the managers on the conference report accompanying the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2002.

CHAPTER 9

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

STANDING COMMITTEES, SPECIAL AND SELECT

The Committee recommends an additional amount of \$1,600,000 for Standing Committees, Special and Select for the Permanent Select Committee on Intelligence. The additional funding is provided as a result of the Attacks of September 11, 2001.

JOINT ITEMS

CAPITOL POLICE BOARD

CAPITOL POLICE

GENERAL EXPENSES

The Committee recommends an additional amount of \$16,100,000 for the Capitol Police to provide for computer equipment, increased training, communications. Of this amount, \$12,500,000 is provided for reimbursement to the Environmental Protection Agency for anthrax investigations and cleanup to the Capitol Complex. This supplemental was requested by the Administration under EPA, Hazardous Substance Superfund.

ARCHITECT OF THE CAPITOL

The Architect of the Capitol is directed to transfer \$510,000, from funds made available in Public Law 107–117, to the Congressional Budget Office for the purpose of replenishing funds expended due to the events of October 15, 2001 and to allow implementation of the agency's new disaster recovery plan.

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SALARIES AND EXPENSES

The Committee recommends an additional direct appropriation of \$7,500,000 to offset the decreased level of receipts resulting from months of mail suspension.

ADMINISTRATIVE PROVISIONS

The Committee has recommended several administrative provisions. Section 901 establishes a Treasury account for the Capitol Police Buildings. Section 902 and 907 authorize the Architect of the Capitol to acquire property. Section 903 is a technical correction. There is a provision section 904 which provides Economy Act authority to the Chief Administrative Officer of the House. Section 905 authorizes a two-way exchange of participants and section 906 makes materials of the Congressional Research Service available in all locations where Members carry out their official duties.

CHAPTER 10

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, AIR FORCE

The Committee recommends appropriating \$8,505,000 above the President's request. Of this amount, \$7,450,000 is provided to support Operation Enduring Freedom, and the remaining \$1,055,000 is provided for planning and design. The following projects are included:

Location/installation	Project title	Cost
Diego Garcia	Communications Switching Facility	\$3,900,000
Diego Garcia	Stuffing/Unstuffing Pad	3,550,000
Worldwide various	Planning and Design	1,055,000
Total	\$8,505,000

Diego Garcia is a primary Air Force forward operating location (FOL) for Operation Enduring Freedom (OEF). To enhance mission capability and safety at Diego Garcia, the Committee recommends \$3,900,000 for a communications switching facility and \$3,550,000 for an ordnance stuffing/unstuffing pad. The proposed switching facility provides a permanent communications structure to support the OEF operation, and will accommodate the mission requirements of B-2 aircraft. The existing ordnance off-loading pad is temporary, is too small to handle the OEF mission, and is hazardous for the airmen who off-load the ordnance. The proposed stuffing/unstuffing pad is adequately sited, sized, and configured to meet safety requirements.

These funds are designated as contingent emergency requirements.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends appropriating \$21,500,000 above the President's request. Of this amount, \$19,600,000 is provided to the U.S. Special Operations Command for construction of a Joint Operations Complex at Fort Bragg, North Carolina. The remaining \$1,900,000 is provided for planning and design of the project. The proposed project will provide a centralized command and control center to support reorganization, new mission requirements, and associated personnel growth necessary to accomplish classified missions and conduct operations.

These funds are designated as contingent emergency requirements.

GENERAL PROVISIONS—THIS CHAPTER

This chapter contains no provisions.

The request included a provision that would make funds in this Act available for military construction projects with a requirement to provide Congress a 15-day prior notification. The Committee did not include this provision. The Committee is not aware of any need for this language in the remaining portion of fiscal year 2002. Should the Administration become aware of contingent military construction projects in the near future, the Committee will re-evaluate its position prior to conference with the Senate.

CHAPTER 11

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Office of General Counsel.—The Committee is concerned about the responsiveness of the Office of the General Counsel to the Committee's requests for technical assistance and legal opinions. The Committee understands that the General Counsel has instituted new procedures to be fully responsive to the Committee's need for prompt legal assistance.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

The bill increases the current obligation limitation for the Transportation Administrative Service Center (TASC) from \$116,023,000 to \$128,123,000 to accommodate additional security related needs within the Department of Transportation in fiscal year 2002. Security needs include a variety of support services for the new Transportation Security Administration, enhanced communications and information security, enhanced building security such as improved ventilation protection, increased security protection for the Secretary, and other needs. There is no net funding or spending increase from this proposal.

TRANSPORTATION SECURITY ADMINISTRATION

The recommendation includes \$3,850,000,000, available until September 30, 2003, for additional expenses of the Transportation Security Administration (TSA).

The Committee is very disappointed over the lack of cooperation and poor quality of information received thus far from this new federal agency. TSA has yet to develop performance measures against which it can be held accountable to the American taxpayer or the traveling public—which are collectively financing the agency's operations; it has yet to answer 24 questions submitted for the record of a hearing held over two months ago; it has yet to provide detailed information justifying the agency's \$4,800,000,000 budget request for fiscal year 2003; and it has yet to make fundamental decisions on how to begin deploying thousands of bomb detection systems at our nation's airports—even though a Congressional mandate exists to install and commission such systems at 429 airports in less than nine months. The Committee expects TSA to do much more over the coming months to address these shortcomings.

Bomb detection systems.—On April 17, 2002, the Committee held a hearing on TSA's supplemental request. During this hearing, officials of several airports presented evidence of severe underfunding of the costs needed for physical modification of airports to accommodate bomb detection systems for checked baggage. The Committee intends to ensure that adequate funds are provided not only to procure this equipment, but also to have it installed in a safe and timely manner. TSA's proposal would not provide adequate funding to meet the December 31, 2002 deadline mandated by law. To address this problem, the bill specifies that \$850,000,000 is provided only for the physical modification of commercial service airports for the purpose of installing checked baggage explosive detection systems, including explosive trace detection systems. The bill also provides \$630,000,000 for the procurement of explosive detection systems, including explosive trace detection systems, for checked baggage screening. This is the amount requested by the administration.

TSA staffing.—TSA's most recent estimate contemplates a federal workforce of close to 68,000 by the end of fiscal year 2003. This is more than double the estimates made when the agency was created just a few months ago. The Committee finds this level of staffing unacceptable, and does not intend to finance such an unnecessarily large enterprise. The Committee notes that user fees, enacted last year to offset the costs of this agency, would cover only a small part of the budget needed to support an agency of 68,000 people. The Committee does not believe that the general taxpayer should be asked to finance a huge agency whose main beneficiaries are air travelers. The Committee believes that, to the extent possible, in its aviation security activities TSA should adhere to a "pay as you go" philosophy, constraining its costs to the level of security air travelers are willing to pay for. To ensure a slower rate of initial growth consistent with this principle, the bill includes a provision limiting funds for staffing above a level of 45,000 full-time permanent positions.

Reimbursement for state and local law enforcement officers.—In a recent hearing, the Committee received testimony suggesting

that TSA's directive requiring airports to provide law enforcement officers, on a reimbursable basis, was being seriously underfunded by the agency. TSA's estimates include only \$50,000 per officer, even though the agency budgets far more for its own officers. In addition, this reimbursement rate ignores the fact that airports are often required to pay overtime rates for state and local officers. The Committee does not believe airports should absorb the costs of TSA mandates. For this reason, the bill includes \$75,000,000 for the reimbursement of state and local law enforcement officers. In addition, the Committee is concerned that law enforcement officers may be substantially underutilized at some airports if deployed full-time at the checkpoints. The Committee directs TSA to provide the House and Senate Committees on Appropriations with alternate deployment plans that would not result in degradation of security at checkpoints, including any necessary legislative changes needed to implement these plans.

Additional security initiatives.—The bill includes additional funding for critically-needed transportation safety improvements which were not included in the request, as follows:

<i>Activity</i>	<i>Amount</i>
Reimbursement of air carriers for installation of intrusion-resistant cockpit doors	\$25,000,000
Grants to port authorities and other entities for security enhancements at U.S. commercial ports	75,000,000
Procurement of air-ground communications systems and devices for the federal air marshal program	20,000,000
Replacement of magnetometers at airport passenger screening locations in commercial service airports	20,000,000

Cockpit door modifications.—The bill includes \$25,000,000 to continue replacement of current cockpit doors with phase II upgraded doors. The Committee believes it is important that this critical program be accelerated.

Port security grants.—The bill includes \$75,000,000 for additional grants for security-related upgrades at our nation's port facilities. The Committee continues to believe that port vulnerabilities are a high-risk area requiring additional attention by TSA. These grants should be awarded by TSA using the same process as the existing grant program, including input and coordination with the U.S. Coast Guard and the Maritime Administration.

Federal air marshal communications systems.—The Committee was disturbed to learn that federal air marshals still lack an effective and secure means for air-to-ground communications. The bill provides \$20,000,000 for TSA to remedy this deficiency as soon as possible.

Replacement of magnetometers.—The Committee has received evidence that magnetometers at our nation's airports are older-generation technology, and that immediate replacement could result in significant savings in checkpoint staffing as well as improvements in detection capability. Other nations have already made the transition to newer technology. Given the proximate cause of the September 11th terrorist attacks, and the fact that stage II cockpit doors are not yet in place, the Committee believes this is an area requiring urgent attention. The bill includes \$20,000,000 for immediate replacement of magnetometers with the newest technology commercially available.

Number of criminal investigator positions.—The Committee does not support the widespread designation of federal air marshals or TSA law enforcement officers into criminal investigative positions. The agency was contemplating the use of criminal investigative positions as a means of providing career progression, rotation, and motivation for what are essentially guard positions in airports and on aircraft. The Committee finds it inappropriate that guard positions would be raised to an investigative job series, and the Committee would not intend to fund this effort. The Committee understands that this policy is now under review, and the Committee awaits the result of that effort with interest.

Crisis Management Center.—The bill provides \$2,100,000 to upgrade the Department of Transportation’s (DOT’s) ability to effectively respond to transportation-related emergencies. The September 11th terrorist attacks revealed significant problems with the current Crisis Management Center’s capacity to gather intelligence and communicate effectively across the nation. Resources are provided to relocate and upgrade the current Crisis Management Center in order to provide accurate, real-time information throughout DOT, the Office of Homeland Security, other agencies, and when appropriate, industry, on the status of the nation’s transportation infrastructure as security alerts are received or events occur. Of the amount provided, \$400,000 is for audio-visual systems; \$900,000 is for construction costs to renovate space; \$300,000 is to build a secure classified information facility (SCIF); \$100,000 is for hardware upgrades; and \$400,000 is for activation information management (AIM) software upgrades. The Committee expects that the current Crisis Management Center space (90,000 square feet) utilized by RSPA will be turned back to the Transportation Administrative Service Center. With this action, funding would not be required under the RSPA budget in fiscal year 2003.

General provision.—Consistent with the principle that TSA should pay its own way, the bill includes a provision requiring TSA to pay airports for the cost of utilizing space on airport property, consistent with current provisions governing airport rental payments by the Federal Aviation Administration.

Participation of historically Black colleges and universities and Hispanic serving institutions.—The Committee directs the Secretary, in collaboration with the Transportation Security Administration (TSA), to work to ensure the participation of predominantly and historically Black colleges and universities and Hispanic serving institutions in federal efforts to secure and protect our nation’s aviation, rail, highway, and other transportation infrastructure systems from terrorist and other criminal acts.

U.S. COAST GUARD

OPERATING EXPENSES

The recommendation includes \$210,000,000 for additional operating expenses of the U.S. Coast Guard, to remain available until September 30, 2003. Increases above the requested amount are as follows:

<i>Activity</i>	<i>Amount</i>
Maintain reserves	\$8,000,000

<i>Activity</i>	<i>Amount</i>
Port vulnerability assessments	12,000,000
PACAREA ship refueling capability	1,000,000

Pacific Area ship refueling capability.—The Committee has received information from the Joint Inter-Agency Task Force (JIATF) East that a small amount of money is required immediately to address critical shortfalls in Pacific Area drug interdiction capability. Due to recently-changed drug smuggling tactics in the Pacific area of operations, the Coast Guard desperately requires a deep water ship refueling capability, to increase the range and endurance of interdiction assets. The bill includes \$1,000,000 for this purpose, and directs the Coast Guard to coordinate this effort with JIATF-East for maximum operational impact.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The recommendation includes \$78,000,000 for Coast Guard “Acquisition, construction, and improvements”. Funds above the requested level are for additional boarding and escort patrol boats.

Boarding and escort patrol boats.—The bill includes \$36,000,000, including \$12,000,000 above the request, for procurement of as many as 8 additional 87-foot *Barracuda* class coastal patrol boats. Along with the older 110-foot *Island* class, these boats are the backbone of Coast Guard’s homeland defense in our ports, waterways, and territorial waters. The Committee believes these additional homeland security assets are needed as a top priority, especially as *Island* class vessels experience the effects of aging and are taken out of service for increased maintenance availabilities.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(TRANSFER OF FUNDS)

As requested, the bill provides the Federal Aviation Administration (FAA) operations program with the flexibility to be reimbursed up to \$25,000,000 from appropriations made under the “Facilities and equipment” program. This transfer, if utilized, should be subject to existing reprogramming procedures. Given the importance of the Airport Improvement Program (AIP) and financial uncertainties imposed by new security requirements, the Committee does not agree to provide flexibility for an additional \$75,000,000 to be transferred from the “Grants-in-aid for airports” program.

GRANTS-IN-AID FOR AIRPORTS

As authorized in the Aviation and Transportation Security Act, the bill includes \$200,000,000, available until expended, to enable the Administrator to compensate airports for a portion of the direct costs associated with new, additional or revised security requirements imposed on airport operators by the Administrator on or after September 11, 2001. Funding of \$175,000,000 was provided for this purpose in Public Law 107–117.

FEDERAL HIGHWAY ADMINISTRATION
 FEDERAL-AID HIGHWAYS
 EMERGENCY RELIEF PROGRAM
 (HIGHWAY TRUST FUND)

The Federal Highway Administration's emergency relief program provides funding for the repair or reconstruction of Federal-aid highways and roads on federal lands that have suffered serious damage as a result of natural disasters or catastrophic failures from external causes. This funding is only available for Federal-aid highway rehabilitation and restoration (major repairs).

The bill includes \$167,000,000 to fully fund the restoration and reconstruction of Federal-aid highways-eligible state and local roads in New York City damaged by the September 11th terrorist attacks. This includes the cost of design, engineering, construction (resurfacing and/or reconstruction of the streets around the World Trade Center, replacing curbs, sidewalks, gutters, etc.), replacement of traffic control devices (signs, traffic lights, etc.), and the reconstruction of Route 9A. This amount has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
 BORDER ENFORCEMENT PROGRAM
 (HIGHWAY TRUST FUND)

The bill provides \$19,300,000 to the new border enforcement program within the Federal Motor Carrier Safety Administration. Of this amount, \$4,200,000 is to fund the implementation of section 1012 of the USA Patriot Act, which includes 34 additional federal personnel; \$10,000,000 is for driver's license fraud detection and prevention projects, including \$800,000 for a contract effort to develop some form of unique identifier for commercial driver's license; a northern border safety and security study; hazardous material security education and outreach; and \$5,100,000 is for coordinating state driver's license registration and social security number verification.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Site selection process for cross-border inspection facility, Laredo, TX.—The Committee directs that the Texas Department of Transportation consult with the City of Laredo and consider their concerns regarding site selection for a cross-border inspection facility. The Committee reinforces that federal safety requirements must be met in any site selection decision.

HAZARDOUS MATERIAL SECURITY
 (HIGHWAY TRUST FUND)

The bill provides \$5,000,000 from the highway trust fund to implement the permit program required by law for those motor carriers transporting the most dangerous hazardous materials—Class

A or B explosives, liquefied natural gas, hazardous material that is extremely toxic by inhalation, and highway route-controlled quantities of radioactive material. The Committee expects this permit program to be implemented by October 1, 2002 and to apply to all hazardous materials carriers allowed to operate in the United States. The Committee also expects the Research and Special Programs Administration to share data on hazardous materials registrations with the Federal Motor Carrier Safety Administration on a monthly basis. Funding is contingent upon transmittal of an official budget request that designates this amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL TRANSIT ADMINISTRATION

CAPITAL INVESTMENT GRANTS

The bill provides \$1,800,000,000 in capital investment grants to replace, rebuild, or enhance mass transportation systems serving the Borough of Manhattan, New York City, New York. These funds may be used to finance project elements that are not eligible for reimbursements through the Federal Emergency Management Administration to improve public transit systems. These grants will be subject to requirements as determined by the Secretary of Transportation to ensure that the eligible projects will substantially improve the mobility of commuters in Lower Manhattan. The entire amount requested has been designated as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The Committee is aware that other states and communities, in addition to lower Manhattan, were and remain severely impacted by the disruption to major transportation systems following the terrorist attacks on September 11th. For example, there are thousands of New Jersey residents who commute daily to lower Manhattan, as well as New Yorkers who commute to New Jersey. Their lives have been directly impacted by the loss of the PATH station and many of New Jersey's rail, bus, and ferry systems have been severely strained and will continue to operate over-capacity for the foreseeable future. The States of New York and New Jersey have worked diligently through the existing process to secure reimbursement and resources to meet their needs. As the Committee has provided greater flexibility to the Federal Transit Administration (FTA) to meet the needs of lower Manhattan by providing for long-term infrastructure improvement in lower Manhattan, the Committee encourages FTA to provide similar treatment for requests of assistance from the State of New Jersey.

JOB ACCESS AND REVERSE COMMUTE GRANTS

The Committee insists that the Federal Transit Administration follow the guidance included in House Report 107-308, as it relates to these projects. The Committee will confirm the Department's intentions before final conference action on this bill.

GENERAL PROVISIONS—THIS CHAPTER

The bill includes a provision that makes certain projects and activities eligible to receive fiscal year 2002 funds under the fiscal year 2002 Department of Transportation and Related Agencies Appropriations Act. The projects and activities covered by this section are designated for funding on pages 82 through 92 of the Joint Explanatory Statement of the Conference Committee for the fiscal year 2002 DOT Appropriations Act (H. Rpt. 107-308). This section provides that each project and activity listed under each of these headings is eligible to receive funding from the program for which the project or activity is designated in the conference agreement.

The bill includes provisions prohibiting the further issuance of federal credit instruments authorized under section 101(a)(1) of the Air Transportation Safety and System Stabilization Act (Public Law 107-42), and rescinding unobligated balances from funds made available under section (101)(a)(2) of that Act. These provisions are necessary to finance other high priority emergency needs of this bill.

In addition, the conference agreement accompanying the fiscal year 2002 Department of Transportation and Related Agencies Appropriation Act contained funding totaling \$2,000,000 for “I-74 Mississippi River Bridge, Mississippi” within the Surface Transportation Program under section 330. This reference should be the “I-74 Mississippi River Bridge, Illinois.”

CHAPTER 12

DEPARTMENT OF THE TREASURY

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

The Committee provides \$15,870,000 for additional instructors, facilities and equipment required to train new law enforcement staffing required following the September 11, 2001, terrorist attacks, in particular for basic training for the new Transportation Security Administration.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The Committee provides \$46,750,000 for the United States Secret Service. This funding would cover \$28,500,000 for additional costs associated with new protective details added since September 11, 2001; \$4,200,000 to fully annualize staff costs for new staffing added in fiscal year 2002; \$3,700,000 for recurring costs of programs funded under P.L. 107-117; and \$10,350,000 towards funding the costs of electronic crimes task forces authorized under the PATRIOT Act.

POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The Committee provides \$87,000,000 for the Postal Service, as proposed by the Administration. Combined with previous supple-

mental appropriations, the Postal Service has received a total of \$762,000,000 for work related to the incidents of anthrax in the mail. In accordance with the requirements of P.L. 107-117, the Committee has received the Emergency Preparedness Plan. The Committee notes that this plan does not include an assessment of the threats to the health and safety of employees and customers of the Postal Service and the integrity of the mail, as expected. The Committee directs the Postal Service to submit this assessment no later than 120 days after enactment of this Act. Further, the Committee directs the Postal Service to submit quarterly expenditure plans on the obligation of all FY 2002 supplemental appropriations as well as annual updates of the Emergency Preparedness Plan.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED
TO THE PRESIDENT

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

The Committee has not included \$5,000,000 for the Office of Administration, as proposed by the Administration. These funds were proposed for additional costs associated with establishing an off-site facility for the Office of Homeland Security.

The Committee is extremely concerned by the total cost of establishing and operating the Office of Homeland Security. To date, OHS has received \$27,000,000 in appropriations, with a pending request of \$24,844,000 for FY 2003. Additional funds of approximately \$4,000,000 have been provided to OHS through the use of reimbursable detailees from other federal agencies. Of the amounts provided to date, the Administration has obligated \$12,525,000 to establish an off-site facility to house OHS personnel. The funds requested as part of the pending supplemental would be used to obtain additional space and to further enhance the communications capabilities within this off-site facility, for a total of \$17,525,000 in FY 2002. Additional funds of \$3,959,000 have been requested for FY 2003, bringing total funding for this facility to \$21,484,000.

The Committee has previously expressed concern over the significant amount of resources devoted to the design and construction of space for OHS communications, coordination and briefings. Further, because the operational plans for OHS are in the developmental phase, the Committee is concerned that this space is being designed prematurely. As part of the FY 2003 appropriations process, the Committee recently submitted written questions reflecting these concerns to the Executive Office of the President. The Committee is extremely disappointed that many of these basic, yet critical questions were not answered. For instance, the Committee requested information on the coordination, communications and incident management rooms at the off-site facility. Specifically, the Committee requested a description of how the functions of these rooms differ from those currently being operated by other federal law enforcement agencies. The Committee also requested a description of how the capacities being built at the off-site facility would be consistent with, and meet the requirements of, the operating procedures of the OHS, once developed. Additionally, the Committee requested both the titles and a brief job description of each

position within the OHS. The Committee was not provided detailed information in response to any of these questions. The Committee believes the Office of Homeland Security should be fully accountable for its use of appropriated funds to support both the operations and the infrastructure of OHS.

The Committee looks forward to receiving additional information to support continued increases to OHS appropriations and will consider the request for additional funds for the off-site facility as part of the FY 2003 cycle.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

(RESCISSION)

On October 8, 2001, the President created the Office of Homeland Security and charged this office, in part, with the review of agency budgets as they specifically related to homeland security. The Committee is aware that FTE within the Office of Management and Budget are also charged with this responsibility. The Committee believes that this duplication of effort is unnecessary and rescinds \$750,000 of funds previously provided for OMB's Salaries and Expenses.

ELECTION ADMINISTRATION REFORM AND RELATED EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The Committee has included \$450,000,000 for the requirements of implementing election administration reform and related expenses and makes these funds available subject to authorization. The Committee includes language to require the Director of the Office of Management and Budget (OMB) to transfer the funds appropriated, upon enactment of legislation improving the administration of elections, to the Federal entities specified by that legislation, for the purposes designated, and the amounts specified. The Committee includes language that requires the Director of OMB to transfer these funds according to the provisions established in H.R. 3295, as passed by the House of Representatives on December 12, 2001. The Committee does not believe the Department of Justice should be responsible for the administration or implementation of programs related to election administration reform.

The Committee anticipates that the conference agreement on H.R. 3295 will specifically identify the amounts to be transferred, by program, project and activity, by the Director of the OMB, not to exceed \$450,000,000.

INDEPENDENT AGENCIES

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The Committee provides \$750,000 for unanticipated costs associated with implementing the provisions of the Bipartisan Campaign Reform Act. The Committee is aware that additional costs of up to \$5,000,000 may be required for this effort in FY 2003 and that the

FEC is in the process of developing a revised budget submission for the Committee's consideration.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

The Committee provides \$51,800,000 for the Federal Buildings Fund, as proposed by the Administration.

GENERAL ACTIVITIES

POLICY AND OPERATIONS

The Committee does not provide \$2,500,000 for Policy and Operations, as proposed by the Administration. The Committee is sympathetic to the underlying issue to be addressed by this funding and is amenable to considering future funding when sufficient total resources (for both the current year and the budget year) have been identified by the Administration for this effort.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 1201. The Committee includes a provision rescinding \$14,000,000 in unobligated balances of the Financial Management Service and reappropriating these funds to the Internal Revenue Service for a higher priority need. The Committee has no objection to the use of any remaining unobligated balance for computer security improvements by the Financial Management Service.

Sec. 1202. The Committee includes a provision prohibiting the use of appropriated funds to transfer the functions, missions, or activities of the United States Customs Service to the Department of Justice.

Sec. 1203. The Committee includes a provision granting the Federal Law Enforcement Training Center the authority to hire retired federal employees for a period of up to five years for urgent homeland security training requirements.

CHAPTER 13

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

The Committee recommends an additional \$417,000,000 for Medical Care to be distributed entirely to the VISNs based on VERA for medical care services to priority 1–6 veterans. None of these funds are to be used for administrative committees, proposed homeland security initiatives or any purpose other than FTEs, supplies, and services required to provide direct medical care to service-connected and impoverished veterans, which is the core mission of the VHA.

The VA has shown an inability to manage the enrollment of priority 7 veterans and has failed miserably in keeping collections at pace with enrollment. The eligibility law stipulates that priority 7

enrollment is contingent on current infrastructure capacity and financial resources derived from co-payments and collections from insurers for non-service connected care. To assist in the collection effort, the Committee has included bill language that would deem all VA healthcare facilities as Medicare and Medicaid certified and directs the Centers for Medicare and Medicaid Services (CMS) to issue Medicare and Medicaid provider numbers for these facilities thus enabling the VA to access veterans' Medicare and Medicaid records for the sole purpose of correctly identifying third-party insurance carrier information. The language reiterates that this certification process is not intended to affect the existing cost responsibility of the VA for providing this type of medical care and in no way places an obligation on CMS to assume any of these costs.

MEDICAL AND PROSTHETIC RESEARCH

(RESCISSION)

The Committee did not include the proposal included in the budget submission to cancel \$5,000,000 from the Medical and Prosthetic Research account.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(RESCISSION)

The Committee recommendation includes a rescission of \$300,000,000 for unobligated balances available in the Housing Certificate Fund and its predecessor programs.

COMMUNITY PLANNING AND DEVELOPMENT

RURAL HOUSING AND DEVELOPMENT

(RESCISSION)

The Committee recommendation does not include a proposed rescission of \$20,000,000 from this account.

COMMUNITY DEVELOPMENT FUND

The recommendation includes an additional \$750,000,000 for assistance to properties and businesses, including restoration of damaged infrastructure, and for economic revitalization activities in the areas of New York City affected by the September 11, 2001 terrorist attacks. As requested, the entire amount has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The Committee recognizes that the terrorist attacks inflicted significant damage to the utility infrastructure in New York City, an infrastructure critical to the physical and economic health of New York City. The Committee further understands that insurance proceeds will reimburse utility companies for only a portion of their losses and their cost to restore this damaged infrastructure. Therefore, the Committee encourages the Lower Manhattan Develop-

ment Corporation to consider the needs of the utility companies as it allocates assistance provided from the Community Development Fund.

The Committee also recognizes that private colleges and universities located near the World Trade Center suffered physical damages which may not be fully reimbursed by insurance proceeds and which are not eligible for reimbursement from the Federal Emergency Management Agency and therefore, the Committee encourages the Lower Manhattan Development Corporation to consider the needs of these colleges and universities as it allocates assistance provided from the Community Development Fund.

The Committee has included bill language which makes technical corrections to two specific grants provided in fiscal years 2001 and 2002 under the Department of Housing and Urban Development.

HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

The Committee has included a rescission of \$300,000,000 from contact authority in excess of required payments for fiscal year 2002.

INDEPENDENT AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The Committee recommends an additional \$8,000,000 for the National Institute of Environmental Health Sciences to undertake and continue its research and worker training programs related to the September 11, 2001 terrorist attacks on the United States.

Specifically, the NIEHS sponsored research will focus on the cardiopulmonary effects, the respiratory symptoms (especially new asthma-like symptoms), the psychological distress, and the general health effects of "high-risk" individuals (including policemen, firemen, remediation workers, and residents and workers in the immediate vicinity) subject to various exposures as a result of the terrorist attacks. The health information gathered through this research will be coupled with exposure assessment work already being coordinated by NIEHS.

With regard to worker training, the Committee expects NIEHS to develop a program in preparation for future disasters which has among its components: (1) training for a nation-wide cadre of environmental response workers to respond to future terrorist attacks, (2) a national registry of trained skilled construction personnel in relevant crafts for immediate response to national disaster, (3) appropriate rescue training for workers who participate in immediate response activities but are not emergency personnel since they must work together in rescuing victims and removing debris, (4) new hazardous waste refresher course modules to cover emergency response and cleanup for terrorist attacks, and (5) training for workers who clean up buildings contaminated with biohazards, such as anthrax.

The Committee's recommendation includes \$4,000,000 each for research and worker training.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY
SALARIES AND EXPENSES

The Committee recommends an additional \$11,300,000 for the Agency for Toxic Substances and Disease Registry. Of this amount, \$1,800,000 is intended to reimburse ATSDR for direct and indirect costs related to the Agency's response to the terrorist attacks of September 11, 2001. These expenses were not assumed in the fiscal year 2002 appropriation and adversely diminish the Agency's ability to carry out the 2002 program as approved by the Congress.

The Committee has also included an additional \$9,500,000 for the Agency to further enhance the capacity of the States to respond to chemical terrorism events. These funds will be used to build on ATSDR's already established network of cooperative agreement programs by enhancing the capacity of state and local health departments to assess and respond to acts of chemical terrorism in a manner that minimizes the public health impact of such acts. They will also be used to supplement existing state cooperative agreement personnel as well as ATSDR headquarters staff who are used to assess the public health implications of acute toxic releases. The Committee feels strongly that increasing the number of technical experts at the state and regional level is key to the facilitation of rapid response and assessment in an emergency situation.

ENVIRONMENTAL PROTECTION AGENCY
HAZARDOUS SUBSTANCE SUPERFUND

The Committee has not included funding under Hazardous Substance Superfund for additional expenses incurred for anthrax investigations and cleanup actions at the United States Capitol and the Congressional office building complex as proposed in the budget submission. As this expense was specific to buildings and property under the jurisdiction of the House of Representatives and the Senate, the Committee has provided \$12,500,000 under the Legislative Branch for reimbursement of these costs to the Environmental Protection Agency, Hazardous Substance Superfund.

STATE AND TRIBAL ASSISTANCE GRANTS

The Committee has included bill language which makes technical corrections to four specific grants provided in fiscal years 2001 and 2002.

FEDERAL EMERGENCY MANAGEMENT AGENCY
DISASTER RELIEF

The Committee recommends \$2,750,000,000 in Disaster Relief to fund additional disaster relief efforts in response to the September 11, 2001 terrorist attacks on the United States.

The Committee recognizes that the citizens and the medical community of Houston, Texas suffered unprecedented losses due to Tropical Storm Allison and that the Texas Medical Center provides unique and important services to its 42 member hospitals and in-

stitutions that provide medical care and vital medical research. Therefore, it is the committee's direction that, notwithstanding any other provision of law, FEMA may provide the Texas Medical Center Public Assistance and Hazard Mitigation grants as an agent for eligible applicants under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. However, specific projects are still subject to FEMA and State eligibility criteria and guidelines.

For the purpose of the September 11, 2001 attack on the World Trade Center, measures taken by eligible private non-profit colleges and universities to protect the health and safety of students and faculty residing in areas affected by the disaster will be eligible for reimbursement.

The Nation on September 11th faced the most horrific disaster ever to occur in America, a disaster of unprecedented scope. The Director of FEMA has acknowledged in letters to Members of the New York delegation that responding to the attacks on New York poses a 'unique challenge'. FEMA has risen to the challenge and the Committee commends the agency for its response. There is, however, a perception, which FEMA concedes in correspondence, that FEMA has not done enough for those affected by the attacks. For example, there are reports that families were denied aid from the Mortgage and Rental Assistance (MRA) program due to rigid eligibility rules that were implemented shortly after the attacks and the lack of application forms and FEMA guidance that reflect the new rules. Many families did not even try to obtain assistance because of reports of high denial rates. FEMA is reviewing case files to ensure that no applicant was wrongly denied MRA assistance, but the Committee believes FEMA must also reach out in a targeted way to families that may be eligible but were discouraged from even applying. Indeed, improving the dissemination of information should remain a very high FEMA priority, as many individuals, families, businesses, and governmental agencies still do not know whether they might be eligible for various kinds of assistance.

Historically, FEMA has responded to disasters, such as hurricanes or riots, with which FEMA and other disaster response organizations had experience. No disaster response organization had experience with a terrorist attack on a densely populated urban area, which occurred on September 11th, 2001. The Committee is aware that the authorities granted to FEMA may not permit a full Federal response in New York City. The Committee directs FEMA's Inspector General (IG) to review, for the period from September 11, 2001, to the date of enactment of this Act, the use of funds provided to FEMA to meet the post-attack needs of New York City. The IG is directed to report to the House and Senate Committees on Appropriations, by December 31, 2002, whether this review has identified any deficiencies or gaps in FEMA's statutory authorities that have impeded the delivery of assistance. The IG should address assistance to all victims (applicants and non-applicants alike) who have been determined to be or who might be eligible for assistance after future terrorist attacks that result in Presidential disaster declarations.

The Director of FEMA shall report to the House and Senate Committees on Appropriations, within one year of the date of enactment of this Act, on the allocation of all funds among authorized

activities for the Presidentially-declared disaster in New York (FEMA-1391-DR).

DISASTER ASSISTANCE FOR UNMET NEEDS

The Committee has recommended \$23,320,000 for Disaster Assistance for Unmet Needs to address unmet needs arising from Presidentially-declared disasters occurring in fiscal year 2002. Such needs may include damage resulting from Southwest ice storms occurring during January 2002.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

The Committee recommends \$151,700,000 for Emergency Management Planning and Assistance instead of \$326,727,600 requested. The Committee has not included funding for “First Responder” grants in FEMA. The Committee recommendation includes \$50,000,000 for Citizen Corps, \$56,000,000 for improvements at State emergency operations centers, \$5,000,000 for development of mutual aid agreements, \$7,000,000 for secure communications support to the States, \$1,300,000 for security clearances for personnel in the States and Territories, and \$32,400,000 to increase and enhance the preparedness of the National Urban Search and Rescue Response System.

NATIONAL SCIENCE FOUNDATION

EDUCATION AND HUMAN RESOURCES

The Committee has, without prejudice, not provided \$19,300,000 as requested in the supplemental budget submission for the Federal Cyber Service—Scholarship for Service program. While the Committee endorses the goals of this new program, the Foundation has neither fully developed or implemented the plans for this program as outlined and funded in the fiscal year 2002 Appropriations Act. Until such plans are completed, the Committee believes it is premature to provide resources which would nearly double the current appropriation.

GENERAL PROVISIONS—THIS CHAPTER

The Committee recommendation includes language increasing the total loan guarantee limitation for fiscal year 2002 for the Federal Housing Administration single family program to meet current estimates of demand.

The Committee recommendation includes language increasing the total loan guarantee limitation for fiscal year 2002 for the Federal Housing Administration’s general and special risk programs to meet current estimates of demand.

CHAPTER 14

GENERAL PROVISIONS

A strict following of the Transportation Equity Act for the 21st Century (TEA-21) will result in a \$4,369,000,000 reduction in fiscal year 2003 in federal-aid highway funding from the base funding level in TEA-21 due to a mechanism called “revenue aligned budget authority” or RABA. Section 1402 of the bill offsets the fiscal

year 2003 negative adjustment by not only providing, but also guaranteeing, an additional \$4,369,000,000 in obligation limitation for the highway category. It raises the highway category, and therefore, fully corrects the fiscal year reduction due to RABA without compromising other discretionary programs.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

The bill includes several appropriations that are not authorized by law and as such may be construed as legislative in nature.

The bill includes several contingent emergency appropriation designations that may be construed as legislative in nature.

Language is included that restricts the availability of the funds to the current fiscal year unless otherwise provided.

Language is included that prohibits the use of any funds in this or any other Act for the Department of Health and Human Services for the consolidation of the Food and Drug Administration Office of Public Affairs or Office of Legislation at the Office of the Secretary of Health and Human Services.

Language is included that limits expenditures of the Export Enhancement Program.

Under Department of Justice, Immigration and Naturalization Service, Salaries and Expenses, Enforcement and Border Affairs, language is included placing a condition on the use of funds.

Under Department of Commerce, National Oceanic and Atmospheric Administration, Fisheries Finance Program Account, language is included designating loan program levels.

Language is included waiving prior authorization requirements for the expenditure of funds by the Department of State or the Broadcasting Board of Governors.

Language is included regarding certain Immigration inspection fees.

Language is included regarding the viewing of certain trial proceedings.

Language is included regarding the Eisenhower Exchange Fellowship Program.

Language has been included for Department of Defense—Military in “Operation and Maintenance, Defense-Wide” which earmarks funds for payments to cooperating nations for military support provided to the United States military in connection with the war on terrorism.

Language has been included for Department of Defense—Military which would make funds available in “Defense Emergency Response Fund” for enhancements to North American Air Defense Command capabilities, and which provides transfer authority to other appropriations accounts.

Language has been included in Department of Defense—Military which provides that “Procurement, Defense-Wide” funds may be used to purchase vehicles required for physical security of personnel.

Language has been included for Department of Defense—Military which would allow “Research, Development, Test and Evalua-

tion, Navy” funds to be used for the Special Operations Forces requirements related to the V-22.

Language has been included for Department of Defense—Military concerning obligation of funds in the Defense Cooperation Account.

Language has been included for Department of Defense—Military which allows the President to waive certain certification requirements required in the Cooperative Threat Reduction Act and the Freedom Support Act.

Language has been included for Department of Defense—Military concerning funds for intelligence related programs.

Language has been included for Department of Defense—Military which changes the deadline for submitting a request for multiple reprogrammings to the Congress.

Language has been included for Department of Defense—Military which makes funds available in “Chemical Agents and Munitions Destruction, Army” available for the payment for costs for international inspectors.

Language has been included for Department of Defense—Military which allows broader authority to the Department of Defense for assistance to Colombia.

Language has been included for Department of Defense—Military for the acquisition of three MH-47 Special Operations helicopters to replace combat losses.

Language has been included for Department of Defense—Military to accelerate the destruction of chemical agents at DoD facilities.

Language has been included for Department of Defense—Military which rescinds funds previously enacted in Defense Appropriations Acts.

Language has been included for Department of Defense—Military which states that Section 2533a of title 10 does not apply to Section 8159 of Public Law 107-117.

Language has been included for Department of Defense—Military which provides authority for the Secretary of Defense to use funds to reimburse cooperating nations for logistical and military support provided to the United States military in connection with the war on terrorism.

The bill includes language under “Governmental Direction and Support” to allow funds provided to the Office of the Corporation Counsel to be used to support attorney compensation consistent with performance measures contained in a negotiated collective bargaining agreement.

The bill includes rescissions under “Public Education System” and “Repayment of Loans and Interest”.

The bill includes language under “Administrative Provision” to allow grants to be delivered after 14 calendar days of receipt by Council, barring no written notice of disapproval by a Council member, instead of requiring Council to pass a law for approval.

The bill includes language under “General Provisions, This Chapter” to allow the District of Columbia to use up to one percent of the funds provided in the Emergency Supplemental Act, 2002, for administrative costs.

The bill includes language under “General Provisions, This Chapter” to allow the DC Courts to transfer 50 percent of the fund bal-

ance from the Crime Victims Compensation Fund to the District's Crime Victim Fund.

The bill includes language under General Provisions, This Chapter to allow any funds not required to meet the seven percent cash reserve balance to be used to address potential deficits in addition to Pay-As-You-Go Capital Funds.

In Chapter 5, each of the accounts includes a designation by the Congress that the amount to be appropriated is an emergency requirement pursuant to the Balance Budget and Emergency Deficit Control Act of 1985, as amended. Also in Chapter 5, language is included in certain accounts which makes the availability of the funds subject to the transmission of a budget request by the President to the Congress. Under Operation and Maintenance, General, language is included which makes the funds available until September 30, 2003. Language is also included which provides that the funds appropriated in this Act and Public Law 107-117 may be used at any facility owned or operated by, or on behalf of, the U.S. Army Corps of Engineers.

Under Chapter 6, all funds are provided for emergency expenses for activities related to combating international terrorism (with the exception of funds appropriated under "Child Survival and Health Programs Fund" and Economic Support Fund"), and all funds are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Under "Child Survival and Health Programs Fund", funds are made available for emergency expenses for activities related to combating AIDS, tuberculosis, and malaria, and are authorized to remain available until December 30, 2002. In addition, language specifies that funds made available in this and in prior Acts under this heading and under the heading "Child Survival and Disease Programs Fund" for the Global Fund to Fight AIDS, Tuberculosis, and Malaria shall not exceed 40 percent of the total resources pledged by all donors to the Global Fund for calendar year 2002. In addition, funds may be made available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Under "International Disaster Assistance", funds are available until September 30, 2003. In addition, funds may be made available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Under "Economic Support Fund", funds are made available for assistance for Israel for activities relating to combating international terrorism and are made available for humanitarian and refugee assistance for the West Bank and Gaza. However, no funds may be made available for assistance for the Palestinian Authority. In addition, \$250,000,000 of the funds may be made available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement

as defined in the Balanced budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

Under “Economic Support Fund”, “Foreign Military Financing Program”, and “Peacekeeping Operations” funds appropriated under these headings and funds appropriated under these headings in prior Acts that are made available for the same purposes, may be made available notwithstanding section 512 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 or any similar provision of law.

Under “International Narcotics Control and Law Enforcement”, “International Narcotics Control and Law Enforcement”, “Migration and Refugee Assistance”, and “Peacekeeping Operations” funds are available until September 30, 2003.

Under “Foreign Military Financing Program”, language is included to provide the Department of Defense with the authority to use up to \$2,000,000 for the general costs of administering overseas military assistance programs, including the purchase of motor vehicles.

Unobligated balances of funds available under “Special Payments to the International Financial Institutions” are rescinded. The total rescinded is \$159,000,000.

Unobligated balances of \$60,000,000 from funds appropriated under the headings “Development Assistance” and “Economic Support Fund” in fiscal year 2000 and prior year Acts making appropriations for foreign operations, export financing, and related programs are rescinded.

Under “General Provisions”, language is included that provides that in fiscal years 2002, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, activities by designated terrorist organizations, and to take actions to protect human health and welfare in emergency circumstances. This provision shall also apply to unexpired balances and assistance previously provided from prior years’ Acts. In addition, the language provides that the authority in this section is in addition to authorities currently available to provide assistance to Colombia.

Also under “General Provisions”, language is included that requires the President to submit not later than July 31, 2002, his determination whether the United Nations Population Fund supports or participates in the management of a program of coercive abortion or involuntary sterilization.

Under “General Provisions”, language is included that requires the President to transmit a report within 30 days after the date of enactment of this Act to the appropriate congressional committees on the United States policy and strategy to assist Colombia as well as to achieve a robust security environment in the Andean region. The report shall address the key objects of United States assistance to the Government of Colombia, the actions required by the United States to support and achieve those objectives, as well as a time schedule and cost estimates for implementing such actions, the role of the United States in the efforts of the Government of Colombia to provide security within the country, and how the strategy regarding Colombia relates to and affects the strategy of the United States.

Language is included under Bureau of Indian Affairs, Operation of Indian Programs, rescinding and redirecting previously appropriated funds to cover litigation costs associated with Indian trust reform.

Language is included under General Provisions, The Chapter (Department of the Interior and Related Agencies), requiring the release of previously appropriated emergency funds for wildland fire management activities.

Language is included under General Provisions, This Chapter (Department of the Interior and Related Agencies), limiting the use of funds to study the transfer of research activities from the Smithsonian Institution to the National Science Foundation.

Language is included under General Provisions, This Chapter (Department of the Interior and Related Agencies), permitting the U.S. Fish and Wildlife Service to charge fees for services at Midway Atoll National Wildlife Refuge and to use those receipts for non-refuge specific needs.

Language is included under General Provisions, This Chapter (Department of the Interior and Related Agencies), dealing with liability of foreign firefighters in this country and U.S. Federal firefighters in foreign countries.

Language is included under General Provisions, This Chapter (Department of the Interior and Related Agencies), dealing with responsibilities of the Defense Department under the Endangered Species Act with respect to water consumption.

Language is included which provides additional funds for dislocated worker assistance notwithstanding sections 132(b)(2)(B) and 133(b)(2)(B) of the Workforce Investment Act of 1998.

Language is included in the Department of Education, School Improvement programs clarifying the intent of Congress with respect to certain funding items identified in this account.

Language is included in the Department of Education, Higher Education clarifying the intent of Congress with respect to certain funding items identified in this account.

Language is included to a new account for Architect of the Capitol "Capitol Police Buildings".

Language is included authorizing the Architect of the Capitol to acquire property.

Language is included regarding the availability of appropriations.

Language is included that provides for a two-way exchange of program participants under the Russian Leadership Program.

Language is included that requires the Congressional Research Service to provide all materials to all official duty stations.

Under Military Construction, language is included that provides that funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law.

Language is included under Transportation Security Administration that would limit funds to recruit or hire personnel exceeding a staffing level of 45,000 full-time permanent positions.

Language is included under U.S. Coast guard "Operating Expenses" making funds available for obligation until September 30, 2003.

Language is included under Federal Aviation Administration "Operations" allowing the transfer of up to \$25,000,000 from "Facilities and Equipment".

Language is included under Federal Highway Administration "Emergency Relief Program" that permits the federal share for the emergency relief program for the New York City/World Trade Center disaster to be 100 percent and waives the cap on the amount of emergency relief that can be provided for the September 11th terrorists attacks in New York City.

Language is included under Federal Transit Administration "Capital Investment Grants" that permits projects funded from this amount to be 100 percent federal. No local match is required.

Language is included that provides funding for the motor carrier hazardous materials safety permit program.

Language is included extending the provisions of section 335 of Public Law 107-87 relating to the provision of rent-free space at airports to aviation security activities of the Transportation Security Administration.

Language is included that prohibits the issuance of Federal credit instruments made pursuant to section 101(a)(1) of the Air Transportation Safety and Stabilization Act in fiscal year 2002.

Language is included that relates to adjustments made by the Director of the Office of Management and Budget pursuant to section 251(b)(1)(B) of the Balanced Budget and Emergency Deficit and Control Act of 1985 to the highway category and to section 8103(a)(5) of the Transportation Equity Act for the 21st Century.

Language is included that rescinds the unobligated balances under section 101(a)(2) of Public Law 107-42.

Language is included to waive certain adjustments made to the highway category by the Director, Office of Management and Budget.

The bill includes language related to election administration reform, specifically referencing H.R. 3295, as passed by the House of Representatives on December 12, 2001.

The bill includes a provision that rescinds and reappropriates certain funds from the Financial Management Service to the Internal Revenue Service.

The bill includes a provision prohibiting the use of funds to transfer the functions, missions, or activities of the United States Customs Service to the Department of Justice.

The bill includes a provision granting the Federal Law Enforcement Training Center the authority to hire federal retirees for a period of up to five years.

Language is included under Department of Housing and Urban Development, Community Development Fund, which waives certain statutory requirements and makes a change in the eligibility for assistance as a result of the terrorist attacks of September 11, 2001.

Language is included under Environmental Protection Agency, State and Tribal Assistance Grants, which make technical changes to specific grants made for fiscal years 2001 and 2002.

Language is included under Federal Emergency Management Agency, Disaster Relief, which waives certain eligibility requirements under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Language is included in the bill modifying the fiscal year 2002 loan limitation level for the Federal Housing Administration's single family housing program.

Language is included in the bill modifying the fiscal year 2002 loan limitation level for the Federal Housing Administration's multi-family housing programs.

In Title 11 of the bill, language is included related to the International Criminal Court.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

[Dollars in thousands]

Agency program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
U.S. Trade Rep	1992	21,077	19,992	1,100
Department of Commerce:				
National Institute of Standards and Technology, Scientific and technical research and services	1993	383,500	310,677	4,000
Department of State:				
Administration of Foreign Affairs	2001	4,162,950	4,777,175	271,566
International Organizations and Conferences	2001	such sums	1,713,056	53,750
Broadcasting Board of Governors	2001	467,229	467,229	15,100
Securities and Exchange Commission, Salaries and Expenses ...	1999	351,280	324,000	29,300
Department of Defense—Military				
Military Personnel, Air Force	2002	(¹)	19,724,014	206,000
Operation and Maintenance, Army	2002	20,653,241	22,335,074	226,000
Operation and Maintenance, Navy	2002	26,461,299	26,876,636	53,750
Operation and Maintenance, Air Force	2002	25,598,767	26,026,789	60,500
Operation and Maintenance, Defense-Wide	2002	11,949,586	12,773,270	751,975
Defense Emergency Response Fund	2002	0	0	12,693,972
Other Procurement, Army	2002	4,027,374	4,183,736	79,200
Aircraft Procurement, Navy	2002	8,323,147	7,938,143	22,800
Procurement of Ammunition, Navy and Marine Corps	2002	466,907	461,399	262,000
Other Procurement, Navy	2002	4,282,471	4,270,976	2,500
Procurement, Marine Corps	2002	1,014,637	995,442	3,500
Aircraft Procurement, Air Force	2002	10,789,167	10,567,038	129,500
Procurement of Ammunition, Air Force	2002	881,844	866,644	115,000
Other Procurement, Air Force	2002	8,196,021	8,085,863	735,340
Procurement, Defense-Wide	2002	2,279,482	2,389,490	104,425
Research, Development, Test and Evaluation, Army	2002	6,675,325	7,106,074	8,200
Research, Development, Test and Evaluation, Navy	2002	10,784,264	11,498,506	9,000
Research, Development, Test and Evaluation, Air Force	2002	14,407,187	14,669,931	99,800
Research, Development, Test and Evaluation, Defense-Wide	2002	14,372,640	15,415,275	72,000
Sec. 308. SOF Helicopters	2002	0	0	93,000
Sec. 309. Chemical Demilitarization	2002	0	0	100,000
Military Construction, Air Force	2002	1,194,880	1,194,880	8,505
Military Construction, Defense-wide	2002	840,558	840,558	21,500
Department of Energy:				
Science:				
Safeguards and Security	1994	(2)	(4)	29,000
Weapons Activities:				
Readiness in Technical Base and Facilities—Operations and Maintenance	2002	1,348,300	1,348,300	19,400
Safeguards and Security	2002	448,900	448,900	88,000
Secure Transportation Asset	2002	123,300	123,300	18,000
Defense Environmental Restoration and Waste Management:				
Safeguards and Security	2002	205,600	205,600	67,000
Defense Nuclear Nonproliferation:				
Arms Control	2002	117,741	117,741	5,000

Agency program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Defense Facilities Closure Projects	2002	1,080,500	1,092,800	16,600
Other Defense Activities:				
Energy Security and Assurance	2002	250,400 (3)	3,300	7,000
Coast Guard:				
Operating Expenses	1999	⁵ 3,006,200	3,013,506	210,000
Acquisition, construction and improvements	1999	² 1,140,600	625,465	78,000
Federal Highway Administration:				
Emergency relief program	N/A	100,000	N/A	167,000
Federal Motor Carrier Safety Administration:				
Border enforcement program (Highway trust fund)	N/A	N/A	N/A	19,300
Hazardous materials safety permits	1997	⁷ 19,670	15,542	5,000

¹ The FY2002 National Defense Authorization Act (P.L. 107-107) authorizes \$75,801,666,000 for military personnel.
² Authorized level provided for multiple programs with no separate program allowance for safeguards and security.
⁴ Funding for safeguards and security activities was spread throughout multiple programs with no individual amount specified.
⁵ Includes \$151,500 authorized in the Western Hemisphere Drug Elimination Act through fiscal year 2001.
⁶ Includes \$630,300 authorized in the Western Hemisphere Drug Elimination Act through fiscal year 1999.
⁷ Hazardous materials program funding.

	Last year authorized	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Child Survival and Health Programs Fund (See note below) *.	Population (1987); Health and Disease Prevention (1987); Child Survival Fund (1987); HIV/AIDS (2002).	Population (\$290,000); Health and Disease Prevention (\$180,000); Child Survival Fund (\$75,000); HIV/AIDS (\$300,000).	Population (\$234,625); Health and Disease Prevention (\$166,762); Child Survival Fund (\$75,000); HIV/AIDS (\$475,000 in fy2002, of which \$435,000 in this account).	\$200,000 (HIV/AIDS)
International Disaster Assistance.	1987	\$25,000	\$70,000	\$190,000
Operating expenses of the United States Agency for International Development.	1987	\$387,000	\$340,600	\$7,000
Economic Support Fund.	1987	\$3,800,000	\$3,555,000	\$710,000
Assistance for the Independent States of the Former Soviet Union.	1993	\$410,000	\$417,000	\$110,000
International Narcotics Control and Law Enforcement.	1994	\$171,500	\$100,000	\$120,000
Migration and Refugee Assistance.	2001	\$750,000	\$700,000	\$10,000,000
Nonproliferation, Anti-terrorism, demining and related programs (See note below) * *.	None	\$83,000
Foreign Military Financing Program.	2002	\$3,627,000	\$3,650,000	\$366,500
Peacekeeping operations.	1999	\$83,000	\$76,500	\$20,000
Election Administration Reform.	N/A	N/A	N/A	\$450,000
Federal Election Commission.	1981	\$9,400	\$9,662	\$750

	Last year authorized	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Department of Housing Urban Development:				
Community Development Fund—Community Development Block Grants.	1994	4,168,000	4,380,000	750,000

* Note.—Programs recommended herein under “Child Survival and Health Programs Fund” were last authorized under a different account structure than that recommended in this bill; the account structure included a number of functional accounts, as described above.

** Note.—Programs recommended herein under “Nonproliferation, Anti-terrorism, Demining, and Related Programs” include some major programs for which authorizations of appropriations were provided for fiscal year 2002; these programs include \$73,000,000 authorized for anti-terrorism assistance and \$142,000,000 authorized for nonproliferation activities. In addition, some programs now in this account were previously in accounts that had authorizations of appropriations in prior years.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfer of funds provided in the accompanying bill.

Language has been included in Department of Defense—Military in the “Defense Emergency Response Fund” which provides for the transfer of funds out of and into this account.

Language has been included in Department of Defense—Military for Section 302 concerning the Defense Cooperation Account, which provides for the transfer of funds out of this account.

Language has been included which mandates the transfer of \$50,000,000 from “Economic Support Fund” to “International Disaster Assistance”.

Language has been included which provides for the transfer of funds from the account “Election Administration Reform and Related Expenses” to such entities as may be authorized by the conference agreement on H.R. 3295, legislation to establish programs for improving the administration of elections.

Language has been included which allows the transfer of up to \$25,000,000 within the Federal Aviation Administration, from “Facilities and equipment” to “Operations”.

In addition, the bill includes language which provides for the transfer of funds between the DC Courts Crime Victims Compensation Fund and the District of Columbia’s newly established Crime Victims Fund.

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

RESCISSIONS RECOMMENDED IN THE BILL

<i>Department or activity</i>	<i>Amounts recommended for rescission</i>
[Dollars in thousands]	
Department of Defense—Military:	
Other Procurement, Air Force 2001/2003	\$29,500
Procurement, Defense-Wide 2002/2004	30,000
District of Columbia funds:	
Public Education System	37,000

<i>Department or activity</i>	<i>Amounts recommended for rescission</i>
Repayment of Loans and Interest	7,950
Special Payments to the International Financial Institutions	159,000
Bilateral Economic Assistance	60,000
Department of Health and Human Services: National Institutes of Health, Building and Facilities	30,000
Department of the Interior: Bureau of Indian Affairs: Operation of Indian Programs	5,000
Department of Treasury: Financial Management Service	14,000
Executive Office of the President: Office of Management and Budget	750
Housing and Urban Development: Housing Certificate Fund	300,000
Rental Housing Assistance	300,000
Department of Transportation: Public Law 107-42 funds	250,000

COMPARISON WITH THE BUDGET RESOLUTION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives requires an explanation of compliance with section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, which requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year from the Committee's section 302(a) allocation.

Appropriations in this bill are either designated emergency or offset in budget authority therein. Prior to the development of this bill the Committee had not received increases to its allocation to reflect actual appropriations enacted to date. Because of this, any comparison to the Committee's current allocation, even adjusted for any anticipated increases for the emergency appropriations in this bill, would not provide an accurate picture of where the Committee stands against its allocation.

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

	<i>Millions</i>
Budget Authority	29,387
Outlays:	
2002	7,627
2003	12,032
2004	4,840
2005	2,490
2006 and beyond	2,953

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, the financial assistance to State and local governments is as follows:

Budget Authority	<i>Millions</i>
Fiscal Year 2002 outlays resulting therefrom	5,567
	300

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives states that:

Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states:

No money shall be drawn from the Treasury but in consequence of Appropriations made by law * * *

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

COMPLIANCE WITH CLAUSE 3 OF RULE XIII (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 286 OF THE IMMIGRATION AND NATIONALITY ACT

DISPOSITION OF MONEYS COLLECTED UNDER THE PROVISIONS OF THIS TITLE

SEC. 286. (a) * * *

* * * * *

(e) LIMITATIONS OF FEES.—(1) * * *

* * * * *

(3) The Attorney General [is authorized to] *shall* charge and collect \$3 per individual for the immigration inspection or pre-inspection of each commercial vessel passenger whose journey originated in the United States or in any place set forth in paragraph (1): *Provided*, That this [authorization] *requirement* shall not apply to immigration inspection at designated ports of entry of passengers arriving by the following vessels, when

operating on a regular schedule: Great Lakes international ferries, or Great Lakes Vessels on the Great Lakes and connecting waterways.

* * * * *

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2002

* * * * *

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

* * * * *

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$11,498,506,000, to remain available for obligation until September 30, 2003: *Provided, That funds provided under this heading that are available for the V-22 Osprey aircraft program may be used to meet unique requirements of the Special Operations Forces.*

* * * * *

TITLE VIII

GENERAL PROVISIONS—DEPARTMENT OF DEFENSE

* * * * *

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogrammings of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogramming of funds using au-*

thority provided in this section must be made prior to **[May 1, 2002]** *June 15, 2002.*

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002

* * * * *

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

* * * * *

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, secs. 1-204.62, 1-204.75, 1-204.90), \$247,902,000 from local funds: *Provided*, **[That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106-113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds: *Provided further*, That for equipment leases,] *That for equipment leases*, the Mayor may finance \$14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: *Provided further*, That \$4,440,000 shall be for the Fire and Emergency Medical Services Department, \$2,010,000 shall be for the Department of Parks and Recreation, and \$7,850,000 shall be for the Department of Public Works: *Provided further*, That no less than \$533,000 be available for trash transfer capital debt service.**

* * * * *

GENERAL PROVISIONS

* * * * *

SEC. 119. ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING. (a) * * *

[(b) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND COUNCIL APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

[(1) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

[(2) the Council within 15 calendar days after receipt of the report submitted under paragraph (1) has reviewed and approved the acceptance, obligation, and expenditure of such grant.]

(b) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND COUNCIL APPROVAL.—

(1) IN GENERAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(2) DEEMED APPROVAL BY COUNCIL.—For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the acceptance, obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

* * * * *

**SECTION 16 OF THE VICTIMS OF VIOLENT CRIME
COMPENSATION ACT OF 1996**

SEC. 16. (a) * * *

* * * * *

(d) Any unobligated balance existing in the Fund as of the end of each fiscal year (beginning with fiscal year 2000) may be used only in accordance with a plan developed by the District of Columbia which is submitted to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate, except that under such plan—

(1) * * *

[(2) 50 percent of such balance shall be used for outreach activities designed to increase the number of crime victims who apply for such direct compensation payments.]

(2) 50 percent of such balance shall be transferred from the Fund to the Mayor and shall be used without fiscal year limitation for outreach activities designed to increase the number of crime victims who apply for such direct compensation payments.

* * * * *

**SECTION 159 OF THE DISTRICT OF COLUMBIA
APPROPRIATIONS ACT, 2001**

RESERVE FUNDS

SEC. 159. (a) * * *

* * * * *

(c) EFFECTIVE DATE.—

(1) * * *

* * * * *

【(3) TRANSFER OF FUNDS.—All funds identified by the District government pursuant to section 148 of Public Law 106–113, as reflected in the certified annual financial report for fiscal year 2000, shall be deposited during fiscal year 2002 into the Emergency and Contingency Reserve Funds established pursuant to section 159 of Public Law 106–522, during fiscal year 2002.】

* * * * *

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

(Public Law 107–116)

* * * * *

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out title II, IV, VII, VIII, X, XII, XIX, AND XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 1128E and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest Survival Act of 2000, and the Poison Control Center Enhancement and Awareness Act, \$6,081,237,000, of which 【\$311,978,000】 \$315,333,000 shall be available for construction and renovation of health care and other facilities, and of which \$40,000,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act: *Provided*, That of the funds made available under this heading, \$250,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen’s Disease Center: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further*, That fees collected for the full disclosure of information under the “Health Care Fraud and Abuse Data Collection Program”, authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating program, and shall remain available until expended to carry out that Act: *Provided further*, That no more than \$15,000,000 is available for carrying out the provisions of Public Law 104–40973: *Provided further*, That of the funds made available under this heading, \$265,085,000 shall be for the program under title X of the Public Health Service Act to

provide for voluntary family planning projects: *Provided further*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further*, That \$639,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: *Provided further*, That of the amount provided under this heading, \$80,000 shall be for the Wausau Health Foundation in Wausau, Wisconsin, for a survey and analysis of local health professionals' career paths to better understand entry into and exit from health professions, \$100,000 shall be for the University of San Diego Institute for the Advancement of Health Policy to assess through teaching, research and delivery of services the impact of public policy on families from vulnerable populations, \$200,000 shall be for the Luna County, New Mexico and the Columbus Volunteer Fire Department to provide emergency medical services to immigrants, \$350,000 shall be for the Clinical Pharmacy Training Program at the University of Hawaii at Hilo, \$475,000 shall be for the American Federation of Negro Affairs, \$500,000 shall be for the University of Washington Center for Health Workforce Studies in Seattle, Washington, for a demonstration project to collect and analyze health workforce data, \$800,000 shall be for the University of Iowa for the training of Certified Registered Nurse Anesthetists, \$1,000,000 shall be for the Washington Health Foundation for a comprehensive demonstration project on improving nurse retention, and \$1,100,000 shall be for the Iowa Department of Public Health to create a Center for Health Care Workforce Shortage; *Provided further*, That, notwithstanding section 502(a)(1) of the Social Security Act, not to exceed \$115,236,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act, of which \$50,000 is for the Center for Great Expectations, Somerville, New Jersey to provide prenatal health care, education and counseling for pregnant teens, \$565,000 is for the Milwaukee Health Department for a pilot program providing health care services to at risk children in day care, and \$4,000,000 is for the Columbia Hospital for Women Medical Center in Washington, D.C., to support community outreach programs for women: *Provided further*, That \$10,000,000 is available for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, which shall not be counted toward compliance with the allocation required in section 502(a)(1) of such Act, and which shall be used only for making competitive grants to provide abstinence education (as defined in section 510(b)(2) of such Act) to adolescents and for evaluations (including longitudinal evaluations) of activities under the grants and for Federal costs of administering the grants: *Provided further*, That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health informa-

tion or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided: *Provided further*, That the funds expended for such evaluations may not exceed 3.5 percent of such amount.

* * * * *

**CHAPTER 9 OF THE EMERGENCY SUPPLEMENTAL ACT,
2002**

CHAPTER 9

LEGISLATIVE BRANCH

* * * * *

HOUSE OF REPRESENTATIVES

ADMINISTRATIVE PROVISIONS

SEC. 903. (a) ACQUISITION OF BUILDINGS AND FACILITIES.—Notwithstanding any other provision of law, in order to respond to an emergency situation, the Chief Administrative Officer of the House of Representatives may acquire buildings and facilities, *subject to the availability of appropriations*, for the use of the House of Representatives by lease, purchase, or such other arrangement as the Chief Administrative Officer considers appropriate (including a memorandum of understanding with the head of an executive agency, as defined in section 105 of title 5, United States Code, in the case of a building or facility under the control of such Agency), subject to the approval of the House Office Building Commission.

* * * * *

SECTION 9 OF THE ACT OF JULY 31, 1946

AN ACT To define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes

SEC. 9. (a) * * *

* * * * *

[(b)] (c) For purposes of this section, “the United States Capital Buildings and Grounds” shall include any building or facility acquired by the Chief Administrative Officer of the House of Representatives for the use of the House of Representatives for which the Chief Administrative Officer has entered into an agreement with the United States Capitol Police for the policing of the building or facility.

* * * * *

SECTION 576 OF THE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002

(Public Law 107-115)

UNITED NATIONS POPULATION FUND

SEC. 576. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under “International Organizations and Programs”, [not more than] \$34,000,000 for fiscal year 2002 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the “UNFPA”).

* * * * *

(d) OBLIGATION AND DISBURSEMENT.—Funds made available pursuant to subsection (a) shall be obligated and disbursed not later than July 10, 2002, unless otherwise prohibited by law.

UNITED NATIONS POPULATION FUND

[SEC. 576. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under “International Organizations and Programs”, not more than \$34,000,000 for fiscal year 2002 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the “UNFPA”).

[(b) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under “International Organizations and Programs” may be made available for the UNFPA for a country program in the People’s Republic of China.

[(c) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA may not be made available to UNFPA unless—

[(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

[(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

[(3) the UNFPA does not fund abortions.]

UNITED NATIONS POPULATION FUND

SEC. 576. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under “International Organizations and Programs”, not more than \$34,000,000 for fiscal year 2002 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the “UNFPA”).

(b) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under “International Organizations and Programs” may be made available for the UNFPA for a country program in the People’s Republic of China.

(c) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA may not be made available to UNFPA unless—

(1) *the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;*

(2) *the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and*

(3) *the UNFPA does not fund abortions.*

(d) *DETERMINATION BY PRESIDENT.—Not later than July 31, 2002, the President shall transmit to the Committees on Appropriations his determination whether UNFPA supports or participates in the management of a program of coercive abortion or involuntary sterilization.*

* * * * *

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: May 9, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Hoyer.

Description of Motion: To express the sense of the House of Representatives that the Assistant to the President for Homeland Security should testify before the House Committee on Appropriations in a public forum on matters pertaining to the president's fiscal year 2003 budget request for homeland security.

Results: Rejected 27 yeas to 34 nays.

Members Voting Yea

Mr. Boyd
 Mr. Clyburn
 Ms. DeLauro
 Mr. Dicks
 Mr. Edwards
 Mr. Farr
 Mr. Fattah
 Mr. Hinchey
 Mr. Hoyer
 Mr. Jackson
 Ms. Kaptur
 Mr. Kennedy
 Ms. Kilpatrick
 Mrs. Lowey
 Mrs. Meek
 Mr. Mollohan
 Mr. Moran
 Mr. Murtha
 Mr. Obey
 Mr. Olver
 Mr. Pastor
 Mr. Price
 Mr. Rothman
 Ms. Roybal-Allard
 Mr. Sabo
 Mr. Serrano
 Mr. Visclosky

Members Voting Nay

Mr. Aderholt
 Mr. Bonilla
 Mr. Callahan
 Mr. DeLay
 Mr. Doolittle
 Mrs. Emerson
 Mr. Frelinghuysen
 Mr. Goode
 Ms. Granger
 Mr. Hobson
 Mr. Istook
 Mr. Kingston
 Mr. Knollenberg
 Mr. Kolbe
 Mr. LaHood
 Mr. Latham
 Mr. Lewis
 Mr. Miller
 Mr. Nethercutt
 Mrs. Northup
 Mr. Regula
 Mr. Rogers
 Mr. Sherwood
 Mr. Skeen
 Mr. Sununu
 Mr. Sweeney
 Mr. Taylor
 Mr. Tiahrt
 Mr. Vitter
 Mr. Walsh
 Mr. Wamp
 Mr. Wicker
 Mr. Wolf
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 2

Date: May 9, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Obey.

Description of motion: To provide \$382,000,000 for "Substance Abuse and Mental Health Services" to be used only for drug abuse treatment activities.

Results: Rejected 25 yeas to 33 nays.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Boyd	Mr. Aderholt
Mr. Clyburn	Mr. Bonilla
Mr. Cramer	Mr. Callahan
Mr. Cunningham	Mr. DeLay
Ms. DeLauro	Mr. Doolittle
Mr. Dicks	Mrs. Emerson
Mr. Edwards	Mr. Frelinghuysen
Mr. Farr	Mr. Goode
Mr. Hinchey	Ms. Granger
Mr. Hoyer	Mr. Istook
Mr. Jackson	Mr. Kingston
Ms. Kaptur	Mr. Knollenberg
Mr. Kennedy	Mr. Kolbe
Ms. Kilpatrick	Mr. LaHood
Mrs. Lowey	Mr. Latham
Mrs. Meek	Mr. Lewis
Mr. Moran	Mr. Miller
Mr. Murtha	Mrs. Northup
Mr. Obey	Mr. Peterson
Mr. Pastor	Mr. Regula
Mr. Rothman	Mr. Rogers
Ms. Roybal-Allard	Mr. Sherwood
Mr. Sabo	Mr. Skeen
Mr. Serrano	Mr. Sununu
Mr. Visclosky	Mr. Sweeney
	Mr. Taylor
	Mr. Tiahrt
	Mr. Vitter
	Mr. Walsh
	Mr. Wamp
	Mr. Wicker
	Mr. Wolf
	Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 3

Date: May 9, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Kolbe.

Description of motion: To provide (in lieu of the pending amendment offered by Ms. Kaptur) an increase of \$6,000,000 for "International Narcotics Control and Law Enforcement, and to reduce the "Foreign Military Financing Program" by \$6,000,000.

Results: Adopted 30 yeas to 19 nays.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Aderholt	Mr. Dicks
Mr. Bonilla	Mr. Farr
Mr. Callahan	Mr. Fattah
Mr. Cunningham	Mr. Hinchey
Mr. DeLay	Mr. Hoyer
Mr. Doolittle	Ms. Kaptur
Mr. Frelinghuysen	Mr. Kennedy
Mr. Goode	Ms. Kilpatrick
Ms. Granger	Mrs. Lowey
Mr. Knollenberg	Mrs. Meek
Mr. Kolbe	Mr. Mollohan
Mr. LaHood	Mr. Obey
Mr. Latham	Mr. Olver
Mr. Lewis	Mr. Pastor
Mrs. Northup	Mr. Price
Mr. Peterson	Mr. Rothman
Mr. Regula	Ms. Roybal-Allard
Mr. Rogers	Mr. Sabo
Mr. Sherwood	Mr. Serrano
Mr. Skeen	
Mr. Sununu	
Mr. Sweeney	
Mr. Taylor	
Mr. Tiahrt	
Mr. Vitter	
Mr. Walsh	
Mr. Wamp	
Mr. Wicker	
Mr. Wolf	
Mr. Young	

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 4

Date: May 9, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. DeLay.

Description of Motion: To include, as a new title, the "American Service Members' Protection Act of 2002".

Results: Adopted 38 yeas to 18 nays; 5 Present.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>	<i>Members Voting Present</i>
Mr. Aderholt	Mr. Clyburn	Mr. Boyd
Mr. Bonilla	Ms. DeLauro	Mr. Hoyer
Mr. Callahan	Mr. Edwards	Mr. Obey
Mr. Cramer	Mr. Farr	Mr. Pastor
Mr. Cunningham	Mr. Fattah	Mr. Rothman
Mr. DeLay	Mr. Hinchey	
Mr. Dicks	Mr. Kennedy	
Mr. Doolittle	Ms. Kilpatrick	
Mrs. Emerson	Mrs. Lowey	
Mr. Frelinghuysen	Mrs. Meek	
Mr. Goode	Mr. Moran	
Ms. Granger	Mr. Olver	
Mr. Hobson	Ms. Pelosi	
Mr. Istook	Mr. Price	
Mr. Kingston	Ms. Roybal-Allard	
Mr. Knollenberg	Mr. Sabo	
Mr. Kolbe	Mr. Serrano	
Mr. LaHood	Mr. Visclosky	
Mr. Latham		
Mr. Lewis		
Mr. Miller		
Mr. Mollohan		
Mr. Murtha		
Mrs. Northup		
Mr. Peterson		
Mr. Regula		
Mr. Rogers		
Mr. Sherwood		
Mr. Skeen		
Mr. Sununu		
Mr. Sweeney		
Mr. Tiahrt		
Mr. Vitter		
Mr. Walsh		
Mr. Wamp		
Mr. Wicker		
Mr. Wolf		
Mr. Young		

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 5

Date: May 9, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mrs. Lowey.

Description of motion: To provide an additional \$500,000,000 for "Child Survival and Health Programs Fund" for a United States contribution to the Global Fund to combat AIDS, Tuberculosis, and Malaria.

Results: Rejected 29 yeas to 33 nays.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Ms. DeLauro	Mr. Aderholt
Mr. Dicks	Mr. Bonilla
Mr. Edwards	Mr. Boyd
Mr. Farr	Mr. Callahan
Mr. Fattah	Mr. Cramer
Mr. Hinchey	Mr. Cunningham
Mr. Hoyer	Mr. Doolittle
Mr. Jackson	Mrs. Emerson
Ms. Kaptur	Mr. Frelinghuysen
Mr. Kennedy	Mr. Goode
Ms. Kilpatrick	Ms. Granger
Mrs. Lowey	Mr. Hobson
Mrs. Meek	Mr. Istook
Mr. Mollohan	Mr. Kingston
Mr. Moran	Mr. Knollenberg
Mr. Murtha	Mr. Kolbe
Mr. Obey	Mr. LaHood
Mr. Olver	Mr. Latham
Mr. Pastor	Mr. Lewis
Ms. Pelosi	Mr. Miller
Mr. Price	Mrs. Northup
Mr. Rothman	Mr. Peterson
Ms. Roybal-Allard	Mr. Regula
Mr. Sabo	Mr. Rogers
Mr. Serrano	Mr. Sherwood
Mr. Sununu	Mr. Skeen
Mr. Sweeney	Mr. Taylor
Mr. Visclosky	Mr. Tiahrt
Mr. Wamp	Mr. Vitter
	Mr. Walsh
	Mr. Wicker
	Mr. Wolf
	Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 6

Date: May 9, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Kolbe.

Description of motion: To hold the Secretary of Defense responsible, under section 7 of the Endangered Species Act, only for water consumption that occurs on a military installation or on lands under the Secretary's direct authority and control.

Results: Adopted 36 yeas to 26 nays.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Aderholt	Mr. Boyd
Mr. Bonilla	Mr. Clyburn
Mr. Callahan	Mr. Cramer
Mr. Cunningham	Ms. DeLauro
Mr. Doolittle	Mr. Dicks
Mr. Edwards	Mr. Farr
Mrs. Emerson	Mr. Fattah
Mr. Frelinghuysen	Mr. Hinchey
Mr. Goode	Mr. Hoyer
Ms. Granger	Ms. Kaptur
Mr. Hobson	Mr. Kennedy
Mr. Istook	Ms. Kilpatrick
Mr. Kingston	Mrs. Lowey
Mr. Knollenberg	Mrs. Meek
Mr. Kolbe	Mr. Mollohan
Mr. LaHood	Mr. Moran
Mr. Latham	Mr. Murtha
Mr. Lewis	Mr. Obey
Mr. Miller	Mr. Olver
Mrs. Northup	Ms. Pelosi
Mr. Pastor	Mr. Price
Mr. Peterson	Mr. Rothman
Mr. Regula	Ms. Roybal-Allard
Mr. Rogers	Mr. Sabo
Mr. Sherwood	Mr. Serrano
Mr. Skeen	

Members Voting Yea

Mr. Sununu
Mr. Sweeney
Mr. Taylor
Mr. Tiahrt
Mr. Vitter
Mr. Walsh
Mr. Wamp
Mr. Wicker
Mr. Wolf
Mr. Young

Members Voting Nay

Mr. Visclosky

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 7

Date: May 9, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Kolbe (as amended by the substitute amendment offered by Mrs. Lowey).

Description of motion: To require, unless otherwise prohibited by law, that \$34,000,000 previously appropriated for the United Nations Population Fund be obligated and disbursed by July 10, 2002.

Results: Adopted 32 yeas to 31 nays.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Boyd	Mr. Aderholt
Mr. Clyburn	Mr. Bonilla
Mr. Cramer	Mr. Callahan
Ms. DeLauro	Mr. Cunningham
Mr. Dicks	Mr. DeLay
Mr. Edwards	Mr. Doolittle
Mr. Farr	Mrs. Emerson
Mr. Fattah	Mr. Goode
Mr. Frelinghuysen	Ms. Granger
Mr. Hinchey	Mr. Istook
Mr. Hobson	Mr. Kingston
Mr. Hoyer	Mr. Knollenberg
Mr. Jackson	Mr. LaHood
Ms. Kaptur	Mr. Latham
Mr. Kennedy	Mr. Lewis
Ms. Kilpatrick	Mr. Mollohan
Mr. Kolbe	Mr. Murtha
Mrs. Lowey	Mrs. Northup
Mrs. Meek	Mr. Peterson
Mr. Miller	Mr. Rogers
Mr. Moran	Mr. Sherwood
Mr. Obey	Mr. Skeen
Mr. Olver	Mr. Sununu
Mr. Pastor	Mr. Taylor
Ms. Pelosi	Mr. Tiahrt
Mr. Price	Mr. Vitter
Mr. Regula	Mr. Walsh
Mr. Rothman	Mr. Wamp
Ms. Roybal-Allard	Mr. Wicker
Mr. Sabo	Mr. Wolf
Mr. Serrano	Mr. Young
Mr. Visclosky	

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 8

Date: May 14, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Serrano.

Description of motion: To prohibit the Justice Department from entering into Memorandum of Understanding with State or local governments pursuant to section 287(g) of the Immigration and Nationality Act as amended.

Results: Rejected 23 yeas to 33 nays.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Clyburn	Mr. Aderholt
Ms. DeLauro	Mr. Bonilla
Mr. Dicks	Mr. Boyd
Mr. Farr	Mr. Callahan
Mr. Fattah	Mr. Cramer
Mr. Hinchey	Mr. Cunningham
Mr. Hoyer	Mr. Doolittle
Mr. Jackson	Mr. Edwards
Ms. Kaptur	Mrs. Emerson
Mr. Kennedy	Mr. Frelinghuysen
Ms. Kilpatrick	Mr. Goode
Mrs. Lowey	Ms. Granger
Mrs. Meek	Mr. Hobson
Mr. Moran	Mr. Istook
Mr. Obey	Mr. Knollenberg
Mr. Olver	Mr. Kolbe
Mr. Pastor	Mr. LaHood
Ms. Pelosi	Mr. Latham
Mr. Price	Mr. Lewis
Ms. Roybal-Allard	Mr. Miller
Mr. Sabo	Mr. Nethercutt
Mr. Serrano	Mrs. Northup
Mr. Visclosky	Mr. Regula
	Mr. Rogers
	Mr. Sherwood
	Mr. Skeen
	Mr. Sununu
	Mr. Tiahrt
	Mr. Vitter
	Mr. Walsh
	Mr. Wamp
	Mr. Wolf
	Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 9

Date: May 14, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Reponse to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Serrano (as amended by the substitute amendment offered by Mr. Farr).

Description of Motion: To temporarily extend section 245(i) of the Immigration and Nationality Act, as amended, to allow illegal aliens who may be eligible for immigrant visas to adjust their status in the U.S. upon payment of a fee, instead of having to pursue their visa applications from abroad.

Results: Rejected 27 yeas to 32 nays.

Members Voting Yea

Mr. Bonilla
Mr. Clyburn
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Hobson
Mr. Hoyer
Mr. Jackson
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Mr. Latham
Mrs. Lowey
Mrs. Meek
Mr. Moran
Mr. Obey
Mr. Olver
Mr. Pastor
Ms. Pelosi
Mr. Price
Ms. Roybal-Allard
Mr. Sabo
Mr. Serrano
Mr. Walsh

Members Voting Nay

Mr. Aderholt
Mr. Boyd
Mr. Callahan
Mr. Cramer
Mr. Doolittle
Mrs. Emerson
Mr. Frelinghuysen
Mr. Goode
Ms. Granger
Mr. Istook
Mr. Kingston
Mr. Knollenberg
Mr. Kolbe
Mr. LaHood
Mr. Lewis
Mr. Miller
Mr. Nethercutt
Mrs. Northup
Mr. Peterson
Mr. Regula
Mr. Rogers
Mr. Sherwood
Mr. Skeen
Mr. Sununu
Mr. Taylor
Mr. Tiahrt
Mr. Visclosky
Mr. Vitter
Mr. Wamp
Mr. Wicker
Mr. Wolf
Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 10

Date: May 15, 2002.

Measure: Supplemental Appropriations Bill for Further Recovery From and Response to Terrorist Attacks on the United States, FY 2002.

Motion by: Mr. Tiahrt.

Description of motion: To reiterate existing appropriations law regarding the United Nations Population Fund, and to require the transmittal not later than July 31, 2002 of a Presidential determination regarding support or participation in the management of a program of coercive abortion or involuntary sterilization.

Results: Adopted 32 yeas to 30 nays.

Members Voting Yea

Mr. Aderholt
 Mr. Bonilla
 Mr. Callahan
 Mr. Cunningham
 Mr. DeLay
 Mr. Doolittle
 Mrs. Emerson
 Mr. Goode
 Ms. Granger
 Mr. Istook
 Mr. Kingston
 Mr. Knollenberg
 Mr. LaHood
 Ms. Latham
 Mr. Lewis
 Mr. Mollohan
 Mr. Nethercutt
 Mrs. Nothrup
 Mr. Peterson
 Mr. Rogers
 Mr. Sherwood
 Mr. Skeen
 Mr. Sununu
 Mr. Sweeney
 Mr. Taylor
 Mr. Tiahrt
 Mr. Vitter
 Mr. Walsh
 Mr. Wamp
 Mr. Wicker
 Mr. Wolf
 Mr. Young

Members Voting Nay

Mr. Boyd
 Mr. Clyburn
 Ms. DeLauro
 Mr. Dicks
 Mr. Edwards
 Mr. Farr
 Mr. Fattah
 Mr. Frelinghuysen
 Mr. Hinchey
 Mr. Hobson
 Mr. Hoyer
 Mr. Jackson
 Ms. Kaptur
 Mr. Kennedy
 Ms. Kilpatrick
 Mr. Kolbe
 Mrs. Lowey
 Mrs. Meek
 Mr. Moran
 Mr. Obey
 Mr. Olver
 Mr. Pastor
 Ms. Pelosi
 Mr. Price
 Mr. Regula
 Mr. Rothman
 Ms. Roybal-Allard
 Mr. Sabo
 Mr. Serrano
 Mr. Visclosky

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
CHAPTER 1			
DEPARTMENT OF AGRICULTURE			
Food Safety and Inspection Service (contingent emergency).....	---	2,000	+2,000
Food and Nutrition Service: Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).....	75,000	75,000	---
Animal and Plant Health Inspection Service: Salaries and expenses (contingent emergency).....	---	10,000	+10,000
Natural Resources Conservation Service: Watershed Rehabilitation Program (rescission).....	-9,000	---	+9,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Food and Drug Administration	---	18,000	+18,000
Salaries and expenses (contingent emergency).....	---	-450,000	-450,000
GENERAL PROVISIONS			
Export Enhancement Program (limitation) (sec. 101)....	66,000	-345,000	-411,000
Total, chapter 1.....	66,000	-345,000	-411,000
CHAPTER 2			
DEPARTMENT OF JUSTICE			
General Administration	5,750	5,750	---
Salaries and expenses (emergency).....	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
Legal Activities			
United States Marshals Service		1,000	+1,000
Salaries and expenses (contingent emergency).....	---		
Federal Bureau of Investigation		10,000	---
Salaries and expenses (emergency).....	10,000		
Contingent emergency.....	---	102,000	+102,000
Immigration and Naturalization Service			
Enforcement and Border Affairs: Salaries and expenses (emergency).....	35,000	35,000	---
Contingent emergency.....	---	40,000	+40,000
Office of Justice Programs			
Justice assistance (emergency).....	---	175,000	+175,000
DEPARTMENT OF COMMERCE AND RELATED AGENCIES			
RELATED AGENCIES			
Office of the United States Trade Representative		1,100	+1,100
Salaries and expenses (contingent emergency).....	---		
European Communities Music Licensing Dispute.....	3,300	---	-3,300
DEPARTMENT OF COMMERCE			
Export Administration			
Operations and Administration (emergency).....	8,700	---	-8,700

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
National Institute of Standards and Technology Scientific and Technical Research and Services (emergency).....	4,000	4,000	---
National Oceanic and Atmospheric Administration Fisheries Finance Program Account (limitation on direct loans).....	(24,000)	(24,000)	---
Negative subsidy.....	-3,000	-3,000	---
Departmental Management Salaries and expenses (emergency).....	400	400	---
THE JUDICIARY			
Supreme Court of the United States Care of the Buildings and Grounds (emergency).....	10,000	10,000	---
United States Courts of Appeals for the Federal Circuit Salaries and expenses (emergency).....	857	---	-857
Courts of Appeals, District Courts, and Other Judicial Services Salaries and expenses (emergency).....	3,143	3,143	---
Contingent emergency.....	---	3,115	+3,115

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
DEPARTMENT OF STATE AND RELATED AGENCY			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and Consular Programs (emergency).....	51,050	51,050	---
Capital Investment Fund (emergency).....	2,500	---	-2,500
Educational and Cultural Exchange Programs (emergency)	10,000	10,000	---
Contingent emergency.....	---	10,000	+10,000
Embassy Security, Construction, and Maintenance			
(emergency).....	200,516	200,516	---
Emergencies in the Diplomatic and Consular Service			
(emergency).....	8,000	---	-8,000
International Organizations and Conferences			
Contributions to International Organizations			
(emergency).....	7,000	7,000	---
Contributions for International Peacekeeping			
Activities (emergency).....	43,000	43,000	---
RELATED AGENCY			
Broadcasting Board of Governors			
International Broadcasting Operations (emergency).....	7,400	7,400	---
Broadcasting capital improvements (contingent emergency).....	---	7,700	+7,700

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
RELATED AGENCIES			
Securities and Exchange Commission	20,000	20,000	---
Salaries and expenses.....	---	9,300	+9,300
Contingent emergency.....	---	---	---
Total, chapter 2.....	427,616	753,474	+325,858
CHAPTER 3			
DEPARTMENT OF DEFENSE - MILITARY			
Military Personnel			
Military Personnel, Air Force (emergency).....	206,000	206,000	---
Operation and Maintenance			
Operation and Maintenance, Army (emergency).....	107,000	107,000	---
Contingent emergency.....	---	119,000	+119,000
Operation and Maintenance, Navy (emergency).....	36,500	36,500	---
Contingent emergency.....	---	17,250	+17,250
Operation and Maintenance, Air Force (emergency).....	41,000	41,000	---
Contingent emergency.....	---	19,500	+19,500
Operation and Maintenance, Defense-Wide (emergency)...	739,000	739,000	---
Contingent emergency.....	---	12,975	+12,975
Defense Emergency Response Fund (emergency).....	11,300,000	11,300,000	---
Contingent emergency.....	---	1,393,972	+1,393,972

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
Procurement			
Other Procurement, Army (emergency).....	79,200	79,200	---
Aircraft Procurement, Navy (emergency).....	22,800	22,800	---
Procurement of Ammunition, Navy and Marine Corps (emergency).....	262,000	262,000	---
Other Procurement, Navy (emergency).....	2,500	2,500	---
Procurement, Marine Corps (emergency).....	3,500	3,500	---
Aircraft Procurement, Air Force (emergency).....	93,000	93,000	---
Contingent emergency.....	---	36,500	+36,500
Procurement of Ammunition, Air Force (emergency).....	115,000	115,000	---
Other Procurement, Air Force (emergency).....	752,300	735,340	-16,960
Procurement, Defense-Wide (emergency).....	99,500	99,500	---
Contingent emergency.....	---	4,925	+4,925
Research, Development, Test and Evaluation			
RDT&E, Army (emergency).....	8,200	8,200	---
RDT&E, Navy (emergency).....	19,000	9,000	-10,000
RDT&E, Air Force (emergency).....	60,800	60,800	---
Contingent emergency.....	---	39,000	+39,000
RDT&E, Defense-Wide (emergency).....	74,700	52,000	-22,700
Contingent emergency.....	---	20,000	+20,000

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
General Provisions			
General Transfer Authority (sec. 305).....	(1,000,000)	---	(-1,000,000)
MH-47 Helicopters (contingent emergency) (sec. 308)....	---	93,000	+93,000
Chemical Demil (contingent emergency) (sec. 309).....	---	100,000	+100,000
Rescissions (sec. 310).....	---	-59,000	-59,000
Total, chapter 3.....	14,022,000	15,769,462	+1,747,462
CHAPTER 4			
DISTRICT OF COLUMBIA			
DISTRICT OF COLUMBIA FUNDS			
Operating Expenses			
Division of Expenses			
Public education system (rescission).....	---	(-37,000)	(-37,000)
Human Support Services:			
Child and Family Services Agency.....	---	(11,000)	(+11,000)
Department of Mental Health.....	---	(26,000)	(+26,000)
Repayment of loans and interest (rescission).....	---	(-7,950)	(-7,950)
Certificates of participation.....	---	(7,950)	(+7,950)
Total, chapter 4.....	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
CHAPTER 5			
DEPARTMENT OF DEFENSE - CIVIL			
DEPARTMENT OF THE ARMY			
Corps of Engineers - Civil			
Operation and Maintenance, General (contingent emergency).....	---	128,400	+128,400
DEPARTMENT OF ENERGY			
Energy Programs			
Science (contingent emergency).....	---	29,000	+29,000
National Nuclear Security Administration			
Weapons Activities (emergency).....	19,400	19,400	---
Contingent emergency.....	---	106,000	+106,000
Defense Nuclear Nonproliferation (contingent emergency).....	---	5,000	+5,000
Environmental and Other Defense Activities			
Defense Environmental Restoration and Waste Management (contingent emergency).....	---	67,000	+67,000
Defense Facilities Closure Projects (contingent emergency).....	---	16,600	+16,600
Other Defense Activities (emergency).....	7,000	7,000	---
Total, chapter 5.....	26,400	378,400	+352,000

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

CHAPTER 6

BILATERAL ECONOMIC ASSISTANCE

Funds Appropriated to the President

United States Agency for International Development

Child Survival and Health Programs Fund (contingent

emergency).....

International Disaster Assistance (emergency).....

Contingent emergency.....

Operating Expenses of the United States Agency for

International Development (emergency).....

Other Bilateral Economic Assistance

Economic Support Fund (emergency).....

Contingent emergency.....

Assistance for the Independent States of the Former

Soviet Union (emergency).....

Department of State

International Narcotics Control and Law Enforcement

(emergency).....

Migration & Refugee Assistance (contingent emergency) .

Nonproliferation, Anti-Terrorism, Demining and Related

Programs (emergency).....

	Budget request	Recommend in bill	Bill compared with request
United States Agency for International Development	---	200,000	+200,000
Child Survival and Health Programs Fund (contingent emergency).....	---	---	-40,000
International Disaster Assistance (emergency).....	40,000	---	---
Contingent emergency.....	---	190,000	+190,000
Operating Expenses of the United States Agency for International Development (emergency).....	---	---	---
Other Bilateral Economic Assistance	7,000	7,000	---
Economic Support Fund (emergency).....	525,000	460,000	-65,000
Contingent emergency.....	---	250,000	+250,000
Assistance for the Independent States of the Former Soviet Union (emergency).....	110,000	110,000	---
Department of State			
International Narcotics Control and Law Enforcement (emergency).....	114,000	120,000	+6,000
Migration & Refugee Assistance (contingent emergency) .	---	10,000	+10,000
Nonproliferation, Anti-Terrorism, Demining and Related Programs (emergency).....	83,000	83,000	---

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program (emergency).....	372,500	366,500	-6,000
Peacekeeping Operations (emergency).....	28,000	20,000	-8,000
MULTILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
Special Payments to the International Financial Institutions (rescission).....	-157,000	-159,000	-2,000
GENERAL PROVISIONS			
Rescission (sec. 602).....	---	-60,000	-60,000
Total, chapter 6.....	1,122,500	1,597,500	+475,000
CHAPTER 7			
DEPARTMENT OF THE INTERIOR			
Bureau of Land Management			
Management of Lands & Resources (contingent emergency)	---	658	+658
United States Fish and Wildlife Service			
Resource Management (contingent emergency).....	---	1,443	+1,443

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
National Park Service			
Operation of the National Park System (contingent emergency).....	---	1,173	+1,173
Construction (contingent emergency).....	---	19,300	+19,300
United States Geological Survey			
Surveys, Investigations, and Research (contingent emergency).....	---	25,700	+25,700
Bureau of Indian Affairs			
Operation of Indian Programs (contingent emergency)...	---	134	+134
Rescission.....	-10,000	-5,000	+5,000
Indian trust fund management litigation.....	---	---	---
Departmental Offices			
Departmental Management: Salaries and expenses (contingent emergency).....	---	905	+905
RELATED AGENCY			
Smithsonian Institution			
Salaries and expenses (contingent emergency).....	---	11,000	+11,000
Construction (contingent emergency).....	---	2,000	+2,000
Total, chapter 7.....	-10,000	57,313	+67,313

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
CHAPTER 8			
DEPARTMENT OF LABOR			
Employment and Training Administration			
Training & Employment Services (contingent emergency).	750,000	300,000	-450,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Health Resources and Services Administration			
Health Resources and Services (rescission).....	-20,000	---	+20,000
Centers for Disease Control and Prevention			
Disease Control, Research, and Training (contingent emergency).....	---	1,000	+1,000
National Institutes of Health			
Buildings and facilities (rescission).....	-30,000	-30,000	---
Administration for Children and Families			
Children and Families Services Programs (contingent emergency).....	---	500	+500
DEPARTMENT OF EDUCATION			
Student Financial Assistance.....	1,276,000	1,000,000	-276,000
Total, chapter 8.....	1,976,000	1,271,500	-704,500

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
CHAPTER 9			
LEGISLATIVE BRANCH			
House of Representatives			
Committee Employees	---	1,600	+1,600
Standing Committees, Special and Select.....	---	1,600	+1,600
Library of Congress			
Copyright Office: Salaries and expenses (emergency)...	7,500	7,500	---
Joint Items			
Capitol Police Board			
Capitol Police	---	16,100	+16,100
General Expenses (contingent emergency).....	---	16,100	+16,100
Total, chapter 9.....	7,500	25,200	+17,700
CHAPTER 10			
DEPARTMENT OF DEFENSE			
Military Construction, Air Force (contingent emergency).....			
Military Construction, Defense-wide (contingent emergency).....	---	8,505	+8,505
Total, chapter 10.....	---	30,005	+30,005

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

	(Dollars in Thousands)		
	Budget request	Recommend in bill	Bill compared with request
CHAPTER 11			
DEPARTMENT OF TRANSPORTATION			
Office of the Secretary			
Transportation Administrative Service Center			
(obligation limitation).....	(128,123)	(128,123)	---
Transportation Security Administration			
Salaries and expenses (emergency).....	2,455,000	2,305,000	-150,000
Contingent emergency.....	1,945,000	1,545,000	-400,000
	4,400,000	3,850,000	-550,000
U.S. Coast Guard			
Operating Expenses (emergency).....	189,000	189,000	---
Contingent emergency.....	---	21,000	+21,000
	189,000	210,000	+21,000
Acquisition, Construction, & Improvements (emergency).			
Contingent emergency.....	66,000	66,000	---
	---	12,000	+12,000
	66,000	78,000	+12,000
Federal Aviation Administration			
Operations (transfer authority).....	(100,000)	(25,000)	(-75,000)
Grants-in-aid for airports (contingent emergency).....	---	200,000	+200,000

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

	Budget request	Recommend in bill	Bill compared with request
(Dollars in Thousands)			
Federal Highway Administration			
Federal-Aid Highways, Emergency Relief Program (Highway trust fund) (emergency).....	167,000	167,000	---
Federal Motor Carrier Safety Administration			
Border Enforcement Program (Highway trust fund) (emergency).....	19,300	19,300	---
Hazardous materials security (Highway trust fund) (contingent emergency).....	---	5,000	+5,000
	19,300	24,300	+5,000
Federal Transit Administration			
Capital Investment Grants (emergency).....	1,800,000	1,800,000	---
Research and Special Programs Administration			
Research and Special Programs (emergency).....	3,500	---	-3,500
General Provisions			
Airline loan program limitation (sec. 1103).....	---	-393,000	-393,000
Air carrier compensation (sec. 1104) (rescission).....	---	-250,000	-250,000
Total, chapter 11.....	6,644,800	5,686,300	-958,500

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
CHAPTER 12			
DEPARTMENT OF THE TREASURY			
Federal Law Enforcement Training Center (contingent emergency).....	---	15,870	+15,870
Financial Management Service (sec. 1201) (rescission).....	---	-14,000	-14,000
Internal Revenue Service: Business Systems Modernization (sec. 1201).....	---	14,000	+14,000
United States Secret Service (contingent emergency)....	---	46,750	+46,750
POSTAL SERVICE			
Payment to the Postal Service Fund (emergency).....	87,000	87,000	---
EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS			
APPROPRIATED TO THE PRESIDENT			
Office of Administration (emergency).....	5,000	---	-5,000
Office of Management and Budget (rescission).....	---	-750	-750
Election Administration Reform and Related Expenses...	---	450,000	+450,000
INDEPENDENT AGENCIES			
Federal Election Commission.....	---	750	+750

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
GENERAL SERVICES ADMINISTRATION			
Real Property Activities			
Federal Buildings Fund (emergency).....	51,800	51,800	---
General Activities			
Policy and Operations (emergency).....	2,500	---	-2,500
Total, chapter 12.....	146,300	651,420	+505,120
CHAPTER 13			
DEPARTMENT OF VETERANS AFFAIRS			
Veterans Health Administration			
Medical Care.....	142,000	417,000	+275,000
Medical and Prosthetic Research (rescission).....	-5,000	---	+5,000
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
Public and Indian Housing			
Housing certificate fund (rescission).....	---	-300,000	-300,000
Community Planning and Development			
Rural Housing and Economic Development (rescission)....	-20,000	---	+20,000
Community Development Fund (emergency).....	750,000	750,000	---
Housing Programs			
Rental Housing Assistance (rescission).....	---	-300,000	-300,000

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
INDEPENDENT AGENCIES			
Department of Health and Human Services			
National Institute of Health			
National Institute of Environmental Health Sciences (emergency).....	---	8,000	+8,000
Agency for Toxic Substances and Disease Registry			
Salaries and expenses (emergency).....	---	11,300	+11,300
Environmental Protection Agency			
Hazardous Substance Superfund (emergency).....	12,500	---	-12,500
Federal Emergency Management Agency			
Disaster relief (emergency).....	2,750,000	2,750,000	---
Disaster assistance for unmet needs (contingent emergency).....	---	23,320	+23,320
Emergency management planning & assistance (emergency)	326,728	151,700	-175,028

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY REQUEST
AND AMOUNTS RECOMMENDED IN THE BILL

(Dollars in Thousands)

	Budget request	Recommend in bill	Bill compared with request
National Science Foundation			
Education and Human Resources (emergency).....	19,300	---	-19,300
Total, chapter 13.....	3,975,528	3,511,320	-464,208
<hr/>			
Grand total (net).....	28,404,644	29,386,894	+982,250
Appropriations.....	(1,513,300)	(1,975,350)	(+462,050)
Emergency appropriations.....	(24,447,344)	(24,091,099)	(-356,245)
Contingent emergency appropriations.....	(2,695,000)	(5,341,195)	(+2,646,195)
Rescissions.....	(-251,000)	(-1,177,750)	(-926,750)
Offsets.....	---	(-843,000)	(-843,000)

ADDITIONAL VIEWS OF DAVID R. OBEY

PROVIDING THE RESOURCES NEEDED TO COUNTER TERRORISTS

This bill, like the Supplemental that Congress passed in December, contains a significant number of increases in counter-terrorism funding that were not requested by the President. In most instances, the add-ons contained in this bill are items that agency heads appointed by this administration asked the Office of Management and Budget to include in the President's Budget. While the Committee itself decided that many of the items which Executive Branch agencies requested were not urgent enough to fund at this time, it is fair to say, that on a bipartisan basis we were struck by the number of compelling requests for counter-terrorism funds that the Office of Management and Budget rejected. To put it bluntly, we are increasingly mystified as to why the administration's tough rhetoric on terrorism is not translated into its budget policy.

It would be far better if such issues could be resolved by thoughtful discussion between those with differing perspectives—particularly at a time when our homeland security is so seriously threatened. Issues like this—at times like this—should not become a matter for open conflict between the branches of government or between the two political parties. We have sought to have discussions and reconcile differences. Those of us in both parties and in both Houses of Congress who are concerned about these issues have attempted in direct discussions with the President and in discussions with his senior advisors to understand the White House perspective on these issues and to share our honest and heartfelt concerns. Unfortunately, those efforts have been pointedly rejected.

As elected representatives and as members of the branch of government that the Constitution establishes as preeminent in decisions about the financing of government activities, we have a clear responsibility to take actions we deem appropriate to protect the people of the United States. I think I can speak for members of the Appropriations Committee of both parties in saying that we would much prefer to do this without public confrontation. Nonetheless, the Office of Management and Budget has once again compelled us to such a debate.

SECURING NUCLEAR WEAPONS AND RADIOACTIVE MATERIALS

Perhaps the most important thing we can do in fighting terrorism is to deny organizations such as Al Qaeda access to weapons of mass destruction. The U.S. Department of Energy submitted proposals to tighten security with respect to a number of activities. Secretary Abraham in a letter to the Director of OMB stated:

* * * we are storing vast amounts of materials that remain highly volatile and subject to unthinkable con-

sequences if placed in the wrong hands. These materials permeate the Departmental complex including sites under the programmatic jurisdiction of the National Nuclear Security Administration, the Office of Environmental Management, and the Office of Science * * * Although the initial supplemental and funds appropriated by Congress helped respond to the most urgent near-term security needs, the Department is now unable to meet the next round of critical security mission requirements * * * Failure to support these urgent security requirements is a risk that would be unwise.

The Department of Energy proposed a total of \$380 million to fund a variety of projects to enhance the security of radioactive materials here at home and overseas. These included:

Security measures surrounding the transport of nuclear weapons within the United States,

Improving the manner in which we secure and store plutonium (the most critical and difficult to obtain of the materials used in nuclear weapons); and

The clean-up, transport and securing in a central depository of low-level radioactive materials that could be used as material for building a "dirty bomb."

The Department requested a total of \$380 million for these and other similar activities. Of that amount, OMB provided only \$27 million or about 7%. The Chief Financial Officer of the Department who was appointed by President Bush last May wrote in exasperation to several senior-level operatives at OMB to state:

We are disconcerted that OMB refused our security supplemental request. I would have much preferred to have heard this from you personally, and been given an opportunity to discuss, not to mention, appeal your decision.

This bill contains \$250 million distributed among the activities requested by the Secretary, \$223 million above the amount requested by the President.

FINDING TERRORISTS WHO ARE ILLEGALLY IN THE UNITED STATES

Another striking omission from the President's supplemental request involved efforts to round up and deport the most potentially dangerous of those individuals who entered the country on visas that have now expired. Currently, there are an estimated 7 million undocumented immigrants in the United States, and only 2,000 interior immigration enforcement officers nationwide. The Immigration and Naturalization Service requested \$52 million for analysts to help find, arrest and deport high-risk individuals who have disregarded the departure dates on their visas. The analysts would use existing databases and work with other law enforcement agencies and the Foreign Terrorist Tracking Task Force to find better methods of identifying and locating such individuals. OMB denied the entire request. This bill contains \$25 million that the Committee believes the INS can spend this year.

MODERNIZING THE FEDERAL BUREAU OF INVESTIGATION

Last fall, OMB denied the Federal Bureau of Investigation two thirds of the \$1.5 billion in funds they had requested in the wake of the September 11th bombing. Among the funds denied was money needed to accelerate the new "Trilogy" computer system that will become the backbone of all communication with in the Bureau. Also included were funds: to enhance the internal security of the FBI's systems and procedures; for high-tech "cyber cops" and hazardous materials personnel; to improve DNA analysis and surveillance programs; and to make infrastructure and personnel improvements. The Congress provided \$212 million about the President's request. This will permit the Trilogy system to be completed by this summer rather than in 2004, as would be the case under the President's request. It also permitted the Bureau to hire analysts of various backgrounds to help synthesize the broad spectrum of counter-terrorism information in the FBI system.

In January, the FBI argued for additional funds for several critical activities, including to upgrade the security of the new computer system and to begin to convert the enormous number of existing paper files into computer files that could be backed up, protected against loss and easily shared by investigators across the country. They also asked for funds to increase the Bureau's access to foreign language translators and analysts. In total the Bureau stated that they had immediate needs for \$635 million in additional funding. OMB denied all but \$10 million. This bill contains \$112 million for these activities, the amount the Committee believes can be expended before the end of the current fiscal year.

PROTECTING HIGH-RISK PUBLIC FACILITIES

After September 11, the Corps of Engineers informed the White House that it had 316 sites around the country that it considered unduly vulnerable to attack. Some of these were dams and flood control projects that if bombed or sabotaged could cause horrific loss of life and property damage. The Corps argued that simple steps such as installation of fencing and remote TV cameras could in many instances mitigate much of the potential risk. The December supplemental provide sufficient funds to allow security work to begin on the 100 most vulnerable projects. In January, the Corps asked for funds so that work could begin on additional projects that posed less of a threat than those covered in the December appropriation but which nonetheless needed immediate attention. The total cost for meeting that need was \$128 million. OMB denied the entire request. This bill funds the Corps' entire request.

CHAOS AT THE TRANSPORTATION SECURITY ADMINISTRATION

The Bush Administration has spent over five months developing a plan to increase aviation security pursuant to the Aviation and Transportation Security Act enacted after the September 11 terrorist attacks. Unfortunately, the new Transportation Security Administration (TSA) still cannot answer basic questions about the details of these plans.

The only information provided by the TSA to the Committee arrived less than three weeks ago on the days of April 24, 25 and

29th. That information is now changing apparently because TSA recognized that the proposal was not sustainable after the first round of questions from the Congress and the press.

Among those questions were why TSA screening guards with two years of experience would be paid \$84,000 a year—more than airport managers in many of the airports in which they would be located. So far, TSA's response to this is that they are reviewing the salary structure. In fact, the salary levels that TSA provided on April 29 showed salaries for law enforcement officers, Federal security directors and Federal security director staff that in some instances will be higher than those of the mayor of the town or airport director.

A second question was why TSA requested no funding to pay for airport construction costs for proper placement of explosive detection equipment. The latest information from the agency would have the federal government spending \$650 million for the purchase of massive baggage screening equipment without any plan or funding to construct facilities in which to locate the equipment. Presumably the new machines would upon their arrival be placed in warehouses at government expense until adequate facilities could be constructed.

A third question that the agency has failed to answer is why the TSA needs more than 600 people in its Washington headquarters. Further, there is no explanation for why it plans to pay an average staff salary (including benefits) at its headquarters in Washington D.C. of \$112,600. This exceeds the average staff salary (including benefits) for the DOT Office of the Secretary, FAA headquarters staff, Supreme Court, and the White House Executive Office of the President.

TSA can still not tell us how many people it will employ when it reaches full strength although there are rumors that internal discussions have included figures approaching 70,000 for the air transportation portion alone.

Still other questions include: what plans have been devised for installing explosive detection equipment and trace detectors? Does TSA plan to install this equipment in airport lobbies or in the baggage routing area? Does TSA plan to open all bags to be checked with trace detection equipment in front of the passenger?

In addition, we have not been assured that the TSA has appropriately addressed the Inspector General's concerns that TSA may be allowing payments to its contractors before the verifying that the work has been performed. The TSA, which will quickly become bigger than the FBI, the Customs Service, the DEA and the Secret Service combined, should not be starting out with sloppy accounting practices, but it has begun just that way.

While TSA complains that OMB bears a major portion of the blame for the slowness of their decision making process and the fact that so little information was shared with the Congress, there is little evidence that OMB effectively challenged the faulty assumptions that are now placing the entire program in such a state of chaos. OMB evidently recommended that Congress appropriate \$4.4 billion to the agency for operations between now and the end of the fiscal year in September, without a clear understanding of either its staffing plans or its pay scale.

At the same time OMB ignored numerous important safety needs in the transportation area. They failed to provide an effective communication system for the Sky Marshal program. They failed to fund a program that would ensure the rapid replacement of existing cockpit doors that will ensure that pilots will not be interfered with. They failed to fund the airport facilities needed for the luggage screening equipment.

Finally, OMB provided the Coast Guard funds sufficient to maintain through the end of the fiscal year only 500 of the 1700 Coast Guard Reserves now on active duty. That dramatic decline will largely come out of the force now dedicated to port security.

UNWISE REDUCTIONS IN GUARD AND RESERVE MOBILIZATION COSTS

The Committee is to be commended for adding \$790 million above the Bush Administration's budget request for the extra FY 2002 costs to pay National Guard and Reserve personnel called to active duty in support of Operation Enduring Freedom and Operation Noble Eagle. (This excludes the costs of National Guard personnel supporting other homeland security missions such as airport security and border security that are funded by other agencies.) By all accounts, these personnel have been doing superb work and have been essential to the success of our military operations to date. They deserve high praise for their professionalism and commitment, and should be fully supported by the Congress.

It is troubling that the Committee was forced to add significant sums to this bill for such a fundamentally important and basic item as the pay of Guard and Reserve personnel. It is well known that a major reason for the weeks of extra delay the Administration experienced in submitting the Supplemental budget request to Congress was the internal squabble between the Defense Department and the OMB over Guard and Reserve pay costs. In the end, OMB won the fight, and the Defense Department is now in the early stages of planning to demobilize 14,5000 reservists, nearly 20% of the total called up, due to the lack of money in the President's request.

This is a very poor policy decision that belies the President's commitment to spend "whatever it takes" to win the war on terrorism.

The Administration's budget decision that forces early Guard and Reserve demobilizations came at virtually the same moment the Secretary of Defense had issued an internal memorandum to his senior staff complaining that the high pace of operations from the war on terrorism was taking a heavy toll on the entire military force. The Secretary's March 13, 2002 memorandum reads in part:

* * * We have had stop-loss in place for some months, preventing people on active duty from leaving the Service. In addition, we are extending the assignment of thousands and thousands of Guards (sic) and Reserves, who have been called away from homes and normal employment to serve on active duty.

The entire force is facing the adverse results of the high-paced optempo and perstempo.

We are past the point where the Department can, without an unbelievably compelling reason, make additional commitments.

In the meantime, we now have fresh warnings that a reconstituted Al Qaeda is planning an attack in the U.S. bigger than the September 11th attack, and the Senate Intelligence Committee is expressing deep concern that the Pentagon has found it unable to fill 3,000 vacant military billets needed to support critical intelligence programs (Sen. Rpt. 107-149, p. 12).

There is good reason for recent press reports that Guard and Reserve personnel are confused and angry. A month ago, many of them were being told that their service was so vital to the war on terrorism that their activations might have to be extended. Now they are being told they may be demobilized in the coming weeks because the Pentagon doesn't need them after all.

This harkens back to the attitudes of 10 to 15 years ago when Guard and Reserve personnel were regarded as second-class citizens compared to the active forces. It is time for decision-makers in the administration to understand and appreciate the extent to which today's Guard and Reserve forces are integrated into our military structure. Our military simply can't function in major campaigns without significant support from our reservists, and they certainly don't deserve to be made part of a game of budget ping-pong.

As of March 11, 2002, a total of 83,021 Guard and Reserve personnel had been called to active duty to provide vital support in such areas as security and force protection, intelligence, combat air patrols, special operations, chemical and biological protection, strategic and tactical airlift, air refueling operations, civil affairs, communications, transportation, infantry, and aero-medical staging. As a result of the OMB budget decision, the Defense Department has initiated a planning process to reduce these forces by 14,500, to around 68,500.

I believe the American people would be appalled if they understood that the number of Guard and Reserve military personnel needed to fight the war on terrorism was not being set by military experts, but by OMB accountants.

The Committee action to add \$790 million to the \$4.1 billion budget request for Guard and reserve pay costs is designed to put the decision of how many reservists we require to fight the war on terrorism back into the hands of the Defense Department, instead of OMB. These funds, when combined with other funds previously appropriated to the Defense Department, should obviate the need to make demobilizations for any other reason than military necessity.

GUARD AND RESERVE MOBILIZATION COSTS

	Bush request	Committee recommendation	Funding Increase
Army	\$1,389,700,000	\$1,786,700,000	+\$397,000,000
Navy	414,200,000	631,200,000	+217,000,000
Marine Corps	206,800,000	210,800,000	+4,000,000
Air Force	1,848,500,000	2,020,500,000	+172,000,000
Defense-wide	243,800,000	243,800,000
Total	4,103,000,000	4,893,000,000	+790,000,000

Impoundment Authority. But this disagreement does not appear to be resolved despite the bipartisan unanimous agreement to provide these additional funds. There are new indications that OMB plans to continue its fight against these additional funds. At the 11th hour before the full committee mark up, our Chairman received a high level request from the Administration to insert language in the bill that effectively allows OMB to unilaterally impound the extra Guard and Reserve pay funds provided in the bill if it so chooses. The Chairman decided to include this provision for reasons of comity. I believe this is a serious flaw in this bill that exhibits a continuing insensitivity to the important role that our Guard and Reserve forces are making to the war effort. I plan to work hard in conference to restore the full availability of these funds unimpeded by further OMB interference.

TOWARD A MORE CONSTRUCTIVE RELATIONSHIP

Neither branch of government has all of the answers. The Founding Fathers exercised remarkably good judgment when they instituted a system of checks and balances so that matters of public importance would be viewed from different perspectives before final decisions could be made. That process, however, does not need to be hostile or overly adversarial, particularly on issues of national security. It is in the interest of the President, and more importantly, of the country to restore a greater sense of comity and to allow our differing perspectives on security issues to strengthen our solutions rather than create greater divisions between us. We hope that senior advisors to the President will more closely follow the efforts of OMB in reviewing agency budgets and will take steps to see that a more appropriate working relationship between the Congress and the White House develops in the months ahead. The welfare and security of the American people are dependent upon it.

DAVID R. OBEY.

ADDITIONAL VIEWS OF MR. SERRANO

During Committee consideration of the Supplemental, I offered three amendments that were not agreed to. I believe the Committee's actions on my amendments were ill-considered and wrong.

Colombia.—Assistance to Colombia was originally approved by this Congress after numerous assurances by both the Clinton and Bush Administrations that its purpose was to control the production of illicit crops and would not involve the United States in a wider war. The Colombian military has not made progress on human rights issues and refuses to suspend, investigate and prosecute the highest level officials involved in human rights violations and in aiding and abetting the paramilitaries.

The Supplemental is not the time or the place to expand our assistance to Colombia from efforts to target narcotics trafficking to counter-terrorism activities. Allowing fiscal year 2002 funds made available to the Department of Defense and the Department of State to be used against organizations designated as terrorist organizations such as the FARC, the ELN, and the AUC will represent a significant increase in our country's involvement in Colombia's civil war.

Section 245(i).—Section 245(i) of the Immigration and Nationality Act authorizes undocumented immigrants who are in the United States and eligible for immigrant visas based on family relationships or employment to become lawful permanent residents (LPRs) without leaving the country if they pay a \$1,000 fine. This is a humanitarian measure that allows prospective immigrants to remain with their families—often U.S. citizens—while they go through the process of becoming LPRs. Without this provision, many prospective citizens would be forced to leave the country for up to 10 years. The significance of this legislation cannot be overstated. Indeed, on the day the Committee considered this issue, President Bush, in signing the Border Security and Visa Entry Reform Act, said, “The bill didn't have everything I wanted. I wanted a temporary extension of 245–I in the bill, which basically allowed certain immigrants, sponsored by their families or employers, to become legal residents without having to leave the country, so that families can stay together. I thought that made sense. It's not a part of the bill; I intend to work with Congress to see if we can't get that done here pretty quick.”

Section 245(i) has been extended several times since it was first enacted in 1994, and it needs to be extended again. Both the House and the Senate have passed legislation to extend the filing deadline for definitive periods of time. While I believe Section 245(i) should be restored in full, the Committee rejected even a limited extension identical to provisions the House passed earlier this year.

State and local enforcement of immigration law.—In 1996, the INS was given authority to enter into agreements with State and

local enforcement officials that essentially allow the INS to “deputize” local law enforcement agents to enforce Federal immigration laws. The first agreement is being negotiated with Florida, and other governments are considering entering into agreements. This authority has never been used before and it should not be used now.

State and local police departments have devoted substantial effort to improving relations with immigrant communities so immigrants, regardless of status, will report crimes against them and cooperate in investigations. During the Committee markup, I read quotes from leaders of police organizations and police departments who stress both the need to be “effective partners” with immigrant communities and to “build bridges to all segments of our community” and the threat immigration enforcement poses to these principles. The agreement being discussed by the INS will erode trust and cooperation, making law enforcement efforts much more difficult.

In addition, the enforcement of Federal immigration law is potentially risky and requires significant training and experience. Without this training and experience, police may target people for immigration enforcement based on their appearance or other characteristics, leading to violations of the rights of U.S. citizens and LPRs. A short period of INS training will not make our local law enforcement officers immigration experts.

My amendment would have prohibited the Justice Department from spending any funds to implement these types of agreements. The right way to deal with the problem of internal enforcement is to provide the immigration experts, the people that are accountable for enforcing our immigration laws—the INS—with the resources they need to increase internal enforcement efforts. This bill begins this process. The Committee has included \$25 million in this Supplemental to expand INS efforts to identify and remove absconders. This will allow the INS to target its resources, gather intelligence, and identify the greatest threats to our national security.

JOSÉ E. SERRANO.

