



May 22, 2003

Summary of Additional Amendments Made in Order to H.R. 1588--The National Defense Authorization Act for FY 2004

The following are summaries of the additional amendments made in order under the second rule (H.Res. 247) for today's consideration of the Defense Authorization bill (H.R. 1588). Amendments may only be offered in the order listed below and are debatable for ten minutes each (except for the Dreier/Lofgren Amendment, which is debatable for 20 minutes). The rule allows amendments to be clustered together and offered *en bloc* by the Chairman of the Committee on Armed Services or his designee. *En bloc* amendments would be debatable for 20 minutes each.

Whether the amendment was agreed to or failed is indicated below in **red bold**.

1. Kline: Grants the Secretary of Education specific waiver authority within Title IV of the Higher Education Act (student financial aid) to provide relief to those affected by the recent military mobilization and any unforeseen issues that may arise. Waivers granted by the Secretary may allow for reservists leaving their job to be relieved from student loan payments for a time, for borrowers to be relieved from receiving collection calls from lenders, and for consecutive service requirements for loan forgiveness programs to be considered uninterrupted. Provides the Secretary with the authority to implement waivers deemed necessary and not yet contemplated. Expires on September 30, 2005. Requires the Secretary of Education to report to Congress on the impact of the waivers implemented as a result of this amendment. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

2. Brown (SC): Expands the Department of Defense Excess Personal Property Disposal Program to include health agencies, in addition to law enforcement and firefighting agencies. The transfer could only take place if the property was excess to the needs of the Defense Department and suitable for use in providing fire and emergency medical services or in responding to health or environmental emergencies. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

3. Ackerman: Encourages the Department of Defense and the Navy to engage with the government of Israel and the Israel Defense Forces to establish appropriate and effective arrangements to ensure the safety of U.S. Navy vessels and personnel, and subsequently, to resume regular port visits to Haifa, Israel, by the U.S. Sixth Fleet. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

4. Davis, Tom: Establishes the President's new Human Capital Performance Fund, to be administered by the Office of Personnel Management, to enable executive agencies to reward their "highest performing and most valuable employees." Limits human capital performance payments to an individual employee to 10% of the employee's basic pay rate. These payments would be in addition to any other bonuses and incentive pay of qualifying employees. Authorizes \$500 million for FY2004 and such sums as necessary in subsequent years. In FY2004, up to 10% of the amount appropriated to the Fund could be used to train supervisors, managers, and other such employee-appraisers on how to make meaningful distinctions in employee performance. **AGREED TO**

5. Hefley/Gallegly: Establishes a two-and-a-half-year pilot program to improve the use of Air Force Reserve and Air National Guard Modular Airborne Fire-Fighting Systems (in California, Colorado, North Carolina, and Wyoming) to fight wildfires by temporarily waiving the Economy Act of 1934, which requires federal firefighters to exhaust all private and commercial sources of materiel before they can access military equipment or personnel for use in fighting forest wildfires. Requires a report to Congress by February 2005 on the progress of this program. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

6. Dreier/Lofgren: Repeals the national security controls on exporting high-performing computers 120 days after enactment of this legislation. Specifies that during that 120-day period, and before implementing any new regulations relating to an export administration system for high-performance computers, the President shall consult with the relevant congressional committees. **(20 Minutes) FAILED**

7. Lantos: Reinstates a reporting requirement (by the Secretaries of State and Defense regarding U.S. foreign military training programs abroad) originally contained in section 656 of the Foreign Assistance Act of 1961. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

8. Jackson-Lee: Directs the Secretary of Defense to commission a study of the feasibility of using small businesses, minority-owned businesses, and women-owned businesses in the efforts to rebuild Iraq. The study would include the development of outreach methods to these businesses. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

9. Hastings (FL): Strikes the repeal of certain Department of Defense reporting requirements in Title 10, U.S.C., on the President's objectives when armed forces are deployed, on the costs of military operations, and on the management of the civilian workforce. **AGREED TO**

10. Woolsey/Leach/Platts: Expresses the sense of Congress that the Secretary of Defense should maintain the functions and missions of the Army Peacekeeping Institute at the Army War College (in Carlisle, PA) or within a joint entity of the Department of Defense to ensure that members of the Armed Forces continue to study the "strategic challenges and uses of peacekeeping missions" and to prepare the Armed Forces accordingly. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

11. Weldon (PA): Declares it to be U.S. policy to seek to cooperate with Russia and the independent states of the former Soviet Union in order to effect as quickly as is reasonably practical basic security measures at all their nuclear weapons and materials storage facilities. Requires the National Academy of Sciences to carry out an analysis of the effect on threat reduction and non-proliferation programs of applicable congressional oversight. Requires a report from the Secretary of Energy on the use of funds appropriated for threat reduction and non-proliferation programs in Russia and the former Soviet Union. Requires the President to prepare and submit a plan to secure and destroy all chemical and biological weapons, and the chemical and biological materials designed for use in such weapons, that are located in Russia and the former Soviet Union. Declares it to be U.S. policy to seek to work with Russia to create comprehensive inventories of weapons-grade materials and assembled warheads, with particular attention paid to tactical or “non-strategic” warheads and weapons that are no longer operationally deployed. Establishes a Duma/Congress nuclear threat reduction working group to explore ways to enhance cooperation in terms of nuclear non-proliferation and security. Declares it to be U.S. policy for the U.S. to work with NATO to enter into appropriate cooperative relationships with Russia in development and deployment of theater-level ballistic missile defenses. Declares it to be U.S. policy to encourage joint efforts by the U.S. and Russia to reduce the chances of a Russian nuclear attack anywhere in the world as a result of misinformation or miscalculation by further development of the Russia-American Observation Satellite (RAMOS) program. Creates a cooperative venture known as the Teller-Kurchatov Alliance for Peace to develop and promote peaceful, safe, and environmentally sensitive uses of nuclear strategy. Creates the Teller-Kurchatov two-year non-proliferation fellowship for scientists employed at the Kurchatov Institute and Lawrence Livermore National Laboratory. States that the U.S. should seek to initiate discussions between the International Atomic Energy Agency and the Organization for Economic Cooperation and Development for the purpose of exploring issues of nuclear and radiological security and safety. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

12. Rogers, Mike (MI): Requires the Department of Defense to assist, to the maximum extent practicable, in providing all necessary support in an expeditious manner to assist Iraqi children who were injured during Operation Iraqi Freedom. Assistance may only be provided if adequate treatment from other sources in Iraq or neighboring countries is not available, only after completion of an evaluation by a physician or other appropriate medical personnel of the U.S. Armed Forces, and only if such assistance would not adversely affect American military operations. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

13. Upton: Authorizes the Secretary of Defense to pay imminent danger pay to military service members responding to terrorist attacks on the United States when there is an immediate threat of physical harm or imminent danger as a direct result or residual effects of the attack or potential secondary attacks. Qualified service members are those who would be expected to arrive at the site of a terrorist attack within twelve hours after the attack. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

14. Vitter: Under the Maritime Security Program, allows existing vessels to be documented under the American flag, provided that the telecommunications and other electronic equipment of such vessels meets internationally accepted standards. Currently, the Federal

Communications Commission (FCC) requires that all such equipment be type-approved by the FCC, a regulation that does not apply to foreign flag vessels in U.S. waters. This amendment would remove that FCC requirement. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

15. Hunter: Provides an additional \$100.0 million for the Secretary of the Army to field increased lethality and sustainment capabilities to the fourth Stryker brigade. Provides an additional \$3.0 million for evaluation of commercially available medical diagnostic technology for potential use in DOD medical treatment facilities. Provides an additional \$3.0 million for development of lightweight cartridge cases for ammunition. Provides an additional \$6.5 million for the Navy's Aviation-Shipboard Information Technology Initiative. Provides an additional \$1.4 million to improve the accuracy and reduce the workload of preventive maintenance operations on Navy aircraft carrier launch and recovery operations. Provides an additional \$5.0 million for development and demonstration of the SPIKE lightweight, low-cost missile system for use in urban combat operations. Provides an additional \$3.25 million for hydrographic sciences research. Provides an additional \$5.0 million for an at-sea demonstration of a variant of the F/A-22 electronic warfare product improvement program. Provides an additional \$4.0 million for development of general-purpose, reconfigurable signal processors suitable for time-critical sensor processing for broad military intelligence, surveillance, and reconnaissance applications. Provides an additional \$2.0 million for the evaluation of new technology for detection and cueing of specific elements or compounds that would indicate the presence of a nuclear, biological, chemical, radiological agent. Provides an additional \$5 million for continuing applied research on an antidote for mustard gas. Provides an additional \$1.1 million for development of technology for accurately tracing portable, sensitive items that might be exported outside the United States. Reduces Air Force operation and maintenance funds by \$135.5 million to offset the new expenditures in this amendment. Reduces by \$304 million the total authorization for military personnel. Amends the Marine Mammal Protection Act (MMPA) to limit the new standard for permitting authority under MMPA to "military readiness activity." Amends certain government-wide procurement authorities for defense against terror to clarify them and make them permanent. Provides authority for the Secretary of the Army to convey land at Fort Belvoir, Virginia, to Fairfax County, Virginia (federal costs to be recoverable from the county). Makes a variety of technical and minor changes. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

16. Simmons: Requires a report from the Secretary of Defense on the granting (or renewal) of security clearances for Department of Defense personnel and defense contractor personnel. The assessment shall review the effects of the disqualification factors and shall include such recommendations for legislation or administrative steps as the Secretary considers necessary. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

17. Tierney: Expands the scope of the Assessment of United States Defense Industrial Base Capabilities to include the business rationale for transferring the contracted work overseas, and the percentage of the total contract award that is to be performed outside the U.S. Requires the Secretary to make recommendations as to how the U.S. Defense Industrial Base

Capabilities can be strengthened. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

18. Nadler: Requires the Secretary of Defense to submit a study to Congress examining the costs and benefits of purchasing all ex-Soviet weapons-grade uranium and plutonium in fiscal year 2005, and safeguarding it from smuggling or theft until can be rendered unusable for weapons. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

19. Porter: Requires the Secretary of Defense (through the Centers for Disease Control, National Institutes of Health, or other federal entity) to conduct a study and review of the effects of perchlorate in drinking water on human beings. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

20. LoBiondo: Requires the Department of Defense to report to Congress annually (as part of its defense authorization request) on military construction requirements, both inside and outside of the Five-Year Defense Plan, anticipated as necessary to support homeland defense missions of the U.S. armed forces. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

21. Kaptur: Requires the Secretary of Defense to collect data in order to identify all contractors and subcontractors that use machine tools in carrying out any defense contract \$5,000,000 or greater. Requires the Secretary of Defense to establish a center to provide technical assistance to machine tool companies in the United States, and entities that use machine tools, to seek guidance with respect to government contracting regulations, including compliance procedures, and opportunities for contracting with the Department of Defense. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

22. Kaptur: Specifies that when determining under Section 2 of the Buy American Act whether application of that Act is inconsistent with the public interest, the Secretary of Defense shall not consider the provisions of any trade agreement between the United States and a foreign country that is in effect at the time of the determination. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

23. Turner (OH)/Ryan (OH): Directs the Secretary of Defense to assist the United States Air and Trade Show, Inc., to study the feasibility of establishing a biennial United States international air and trade show. Authorizes the Secretary to spend up to \$1 million (but not more than half the total cost) in matching funds to conduct and implement recommendations derived from the feasibility study. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

24. Kingston: Specifies that if a military installation to be closed includes a road used for public access that the required consultation include a discussion of measures to ensure the continued availability of the road for public use after the installation is closed or placed in an inactive status. **AGREED TO AS PART OF THE EN BLOC AMENDMENT**

25. Hobson: Requires that Department of Defense purchases subject to the Buy American Act be at least 65 percent domestic content, instead of the current 50 percent. **AGREED TO AS PART OF THE *EN BLOC* AMENDMENT**

26. Hoeffel: Expresses the sense of Congress that the Secretary of the Army should demolish the Tacony Warehouse, operated by Fort Dix in Philadelphia, in accordance with the fiscal year 2001 Department of Defense Appropriations Act that provided \$5 million for that purpose. **AGREED TO AS PART OF THE *EN BLOC* AMENDMENT**

27. Hostettler: Clarifies that the domestic source limitation in Section 821 would only apply to a specific type of packaging, specifically pre-formed retort packaging. **AGREED TO AS PART OF THE *EN BLOC* AMENDMENT**

28. Farr: Makes permanent a demonstration project in Monterey, California that allows Department of Defense installations to contract with the City of Monterey for the provision of municipal services. **AGREED TO AS PART OF THE *EN BLOC* AMENDMENT**

29. Dicks: Authorizes the Secretary of the Navy to convey land on the eastern end of Puget Sound Naval Shipyard to the city of Bremerton, WA. The City of Bremerton would be required to pay all costs related to the conveyance. **AGREED TO AS PART OF THE *EN BLOC* AMENDMENT**

30. Crenshaw: Transfers certain vessels from the Maritime Administration to the Beauchamp Tower Corporation (a not-for-profit corporation) for use as moored support ships and as memorials to the Fulton and Victory-class ships. The Beauchamp Tower Corporation would then use the ships in their National Emergency Urban Interface Program, which uses unique facilities to provide free training for both private industry and local/state/federal government emergency responders. The vessels could not be used for commercial transportation and must be made available to the federal government when required by the Secretary. **AGREED TO AS PART OF THE *EN BLOC* AMENDMENT**

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