

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, AND FOR OTHER PURPOSES

CONFERENCE REPORT

TO ACCOMPANY

H.R. 3338



DECEMBER 19, 2001.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, AND FOR OTHER PURPOSES

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Mr. LEWIS of California, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 3338]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3338) “making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for military functions administered by the Department of Defense, and for other purposes, namely:

*DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS,
2002*

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations,

**DIVISION B—TRANSFERS FROM THE EMERGENCY
RESPONSE FUND PURSUANT TO PUBLIC LAW 107-38**

The funds appropriated in Public Law 107-38 subject to subsequent enactment and previously designated as an emergency by the President and Congress under the Balanced Budget and Emergency Deficit Control Act of 1985, are transferred to the following chapters and accounts as follows:

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Office of the Secretary”, \$80,919,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Salaries and Expenses”, \$40,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

BUILDINGS AND FACILITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Buildings and Facilities”, \$73,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Salaries and Expenses”, \$105,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38, of which \$50,000,000 may be transferred to and merged with the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Buildings and Facilities”, \$14,081,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

FOOD SAFETY AND INSPECTION SERVICE

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Food Safety and Inspec-

SEC. 404. In the Fiscal Year 2002 District of Columbia Appropriations Act under the heading "Administrative Provisions, Payments for Representation of Indigents" under subsection (c), strike all after "March 1, 2002." through "3600".

CHAPTER 5

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for "Operation and Maintenance, General", \$139,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for "Water and Related Resources", \$30,259,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses to increase the security of the Nation's nuclear weapons complex, for "Weapons Activities", \$131,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

DEFENSE NUCLEAR NONPROLIFERATION

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses to increase the security of the Nation's nuclear weapons complex, for "Defense Nuclear Nonproliferation", \$226,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for "Defense Environmental Restoration and Waste Management", \$8,200,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

OTHER DEFENSE ACTIVITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses necessary to support activities related to countering potential biological threats to civilian populations, for "Other Defense Activities", \$3,500,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

INDEPENDENT AGENCY

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses to increase the security of the Nation's nuclear power plants, for "Salaries and Expenses", \$36,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38: Provided, That the funds appropriated herein shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 501. Of the funds provided in this or any other Act for "Defense Environmental Restoration and Waste Management" at the Department of Energy, up to \$500,000 may be available to the Secretary of Energy for safety improvements to roads along the shipping route to the Waste Isolation Pilot Plant site.

SEC. 502. NUTWOOD LEVEE, ILLINOIS. The Energy and Water Development Appropriations Act, 2002 (Public Law 107-66) is amended under the heading "Title I, Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil, Construction, General" by inserting after "\$3,500,000" but before the "." "": Provided further, That using \$400,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, may initiate construction on the Nutwood Levee, Illinois project".

SEC. 503. The Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended as follows:

(1) by inserting in Section 4(c) after "2000," and before "costs" the following: "and the additional \$32,000,000 further authorized to be appropriated by amendments to the Act in 2001,"; and

(2) by inserting in Section 5 after "levels)," and before "plus" the following: "and, effective October 1, 2001, not to exceed an additional \$32,000,000 (October 1, 2001, price levels),".

SEC. 504. JICARILLA, NEW MEXICO, MUNICIPAL WATER SYSTEM. Public Law 107-66 is amended—

(1) under the heading of “Title I, Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil, Construction, General”—

(A) by striking “Provided further, That using \$2,500,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with a final design and initiate construction for the repair and replacement of the Jicarilla Municipal Water System in the town of Dulce, New Mexico.”; and

(B) insert at the end before the period the following: “: Provided further, That using funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to transfer \$2,500,000 to the Secretary of the Interior for the Bureau of Reclamation to proceed with the Jicarilla Municipal Water System in the town of Dulce, New Mexico”; and

(2) under the heading of “Title II, Department of the Interior, Bureau of Reclamation, Water and Related Resources, (Including the Transfer of Funds)”—

(A) insert at the end before the period the following: “: Provided further, That using \$2,500,000 of the funds provided herein, the Secretary of the Interior is directed to proceed with a final design and initiate construction for the repair and replacement of the Jicarilla Municipal Water System in the town of Dulce, New Mexico”.

SEC. 505. (a) OCCOQUAN RIVER, VIRGINIA.—The project for navigation, Occoquan Creek, Virginia, authorized by the first section of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved September 19, 1890 (26 Stat. 440), is modified to direct the Secretary of the Army—

(1) to deepen the project to a depth of 9 feet; and

(2) to widen the project between Channel Marker Number 2 and the bridge at United States Route 1 to a width of 200 feet.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated to carry out the project referred to in subsection (a) by the Energy and Water Development Appropriations Act, 2001 (as enacted into law by Public Law 106-377), shall be made available to carry out the modifications to the project under subsection (a).

(c) PROJECT REDESIGNATION.—

(1) IN GENERAL.—The project referred to in subsection (a) shall be known and designated as the “project for navigation, Occoquan River, Virginia”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the project referred to in subsection (a) shall be deemed to be a reference to the “project for navigation, Occoquan River, Virginia”.

has been identified as having violated the requirements of section 514 by the HUD Inspector General: Provided further, That, notwithstanding any other provision of law, no funding for technical assistance shall be available for carryover from any previous year: Provided further, That the recodation and liquidation of obligations and deficiencies under this heading shall not pardon or release an officer or employee of the United States Government for an act or acts in violation of the Anti-deficiency Act (31 U.S.C. 1341): Provided further, That the Secretary shall implement the provisions under this section in a manner that does not accelerate outlays.

SEC. 1304. The referenced statement of the managers pertaining to economic development initiatives under the heading "Community Development Fund" in Public Law 107-73 is deemed to be amended by striking "Willacacy County Boys and Girls Club in Willacacy County, Texas" in reference to an appropriation for the Willacy County Boys and Girls Club, and inserting "Willacy County Boys and Girls Club in Willacy County, Texas"; by striking "Acres Home Community Development Corporation" in reference to an appropriation in Houston, Texas, and inserting "Old Acres Homes Citizens Council"; and by striking "\$250,000 to the Good Shepard School in Braddock, Pennsylvania for facility renovation;" in reference to an appropriation in Braddock, Pennsylvania, and inserting "\$250,000 for facility renovation, of which \$50,000 is for the Good Shepard School in Braddock, Pennsylvania and \$200,000 is for the Phipps Conservatory and Botanical Gardens in Pittsburgh, Pennsylvania;".

CHAPTER 14

GENERAL PROVISIONS, THIS DIVISION

SEC. 1401. Amounts which may be obligated pursuant to this division are subject to the terms and conditions provided in Public Law 107-38.

SEC. 1402. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 1403. Notwithstanding any other provision of law, of the funds made available in this or any other Act, funds may be transferred to the Department of Defense from an agency receiving National Guard services related to homeland security to cover the costs of such services that the agency incurred after the date of enactment of this Act: Provided, That such authority to transfer shall expire on April 30, 2002: Provided further, That each agency receiving National Guard services related to homeland security shall submit to the House and Senate Committees on Appropriations a detailed report of the National Guard's homeland defense activities and expenses incurred after the date of enactment of this Act and planned for the remainder of fiscal year 2002 for that agency and any proposed transfers fifteen days prior to such transfers pursuant to this authority.

This division may be cited as the "Emergency Supplemental Act, 2002".

JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3338), making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Department of Defense Appropriations Act, 2002, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 107-298 and Senate Report 107-109 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary.

Senate Amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2002, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P-1 and R-1 budget justification documents as subsequently modified by Congressional action. The following exception to the above definition shall apply:

For the Military Personnel and the Operation and Maintenance accounts, the term "program, project, and activity" is defined as the appropriations accounts contained in the Department of Defense Appropriations Act. At the time the President submits his budget for fiscal year 2003, the conferees direct the Department of Defense to transmit to the congressional defense committees budget justification documents to be known as the "M-1" and "O-1" which shall identify, at the budget activity, activity group, and sub-activity group level, the amount requested by the President to be appropriated to the Department of Defense for operation and maintenance in any budget request, or amended budget request, for fiscal year 2003.

UNCONVENTIONAL NUCLEAR THREAT

These funds are to implement the recommendations of the Defense Science Board Task Force on Unconventional Nuclear Warfare Defense as directed in the House bill and report.

ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP)

These funds are for maintenance and repairs of buildings, including building mechanical systems, and repairs and upgrades to laboratories and associated equipment at AFIP. The lab upgrades are to include installation of Biolevel 3 labs to increase the institute's ability to test biological agents such as anthrax and botulism.

WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS

The conference agreement provides \$35,000,000 to fully equip and train 22 additional highly specialized Army National Guard WMD-CST Teams. To date, a total of 32 teams have been authorized by the Department of Defense, although 22 of those teams have unfunded equipment and training requirements necessary to bring them up to fully certified status. These funds are provided to fill those critical equipment and training gaps as follows:

22 Mobile Analytical Laboratory Systems (special purpose vehicles)	\$18,500,000
Dismounted analytical suites	6,500,000
Training and evaluation	10,000,000

LOCAL EMERGENCY COMMUNICATIONS GEAR

The conferees agree to provide these funds to ensure reliable and interoperable communications between elements of the Army and local emergency responders.

CHEMICAL-BIOLOGICAL MEDICAL TRAINING

The conferees agree to provide this funding to train Department of Defense personnel in the recognition and treatment of the health effects caused by exposure to chemical or biological agents.

FORMER SOVIET UNION THREAT REDUCTION

The conference agreement provides \$403,000,000 for the Former Soviet Union Threat Reduction program.

DIVISION B—TRANSFERS FROM EMERGENCY RESPONSE
FUND PURSUANT TO PUBLIC LAW 107-38

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

The conference agreement includes \$80,919,000 for the Office of the Secretary as proposed by the Senate instead of \$4,582,000 as proposed by the House. The conferees direct that these funds be used for upgrading USDA facility and operational security and for other unforeseen needs of the Department related to counterterrorism and homeland security.

The conference agreement includes language in a new section 404 that makes a technical correction to the District of Columbia Appropriations Act, 2002 (H.R. 2944).

CHAPTER 5

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

The conference agreement includes \$139,000,000 to support increased security at Corps of Engineers owned and operated infrastructure facilities as proposed by the House and the Senate.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

The conference agreement includes \$30,259,000 to support increased security at Bureau of Reclamation owned and operated infrastructure facilities as proposed by the House and the Senate.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

The conferees agree that the amount appropriated by Title III of the Energy and Water Development Appropriations Act, 2002 (Public Law 107–66) under the Energy Supply account for “Renewable Energy Resources”, subaccount “Electric energy systems and storage”, is increased by \$10,000,000, with a corresponding general reduction of \$10,000,000 applied to the total “Renewable Energy Resources” account. Such general reduction is to be applied on a pro rata basis to all programs, projects, and activities under the “Renewable Energy Resources” account and in accordance with guidance previously provided in the Energy and Water Development Appropriations Act, 2002.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

The conference agreement provides \$131,000,000 for Weapons Activities as proposed by the Senate instead of \$88,000,000 as proposed by the House. Of these funds, \$76,000,000 is to address safeguards and security configuration vulnerabilities throughout the nuclear weapons complex; \$30,000,000 is to accelerate deployment of near-term cyber security measures at all nuclear weapons complex sites; and \$25,000,000 is to provide additional resources for se-

cure transportation asset safeguards system operations including \$1,000,000 for program direction activities.

The conferees strongly urge the National Nuclear Security Administration to use a portion of the resources provided to develop its extensive capabilities in security and counter-terrorism technologies and make them available to other government agencies as appropriate.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement includes \$226,000,000 for Defense Nuclear Nonproliferation as proposed by the Senate instead of \$18,000,000 as proposed by the House. Funding of \$78,000,000 is provided for nonproliferation and verification research and development, including \$18,000,000 for development activities to automate more of the processes and increase the number of agents that can be detected with the Biological Aerosol Sentry and Information System (BASIS), a prototype biological detection system to provide civilian public health systems with early warning of airborne biological agents. From within available funds for research and development, research is to be conducted with respect to radiological dispersion devices known as "dirty bombs".

Funding of \$120,000,000 is provided for the International Materials Protection, Control and Accounting program to secure nuclear materials at sites in Russia and the Newly Independent States.

An additional \$15,000,000 has been provided to the Russian Transition Initiatives program for the Nuclear Cities Initiative and the Initiatives for Proliferation Prevention program.

Additional funding of \$10,000,000 is provided for the International Nuclear Safety Program to improve the safety of Soviet-designed nuclear reactors, and an additional \$3,000,000 is provided for the program direction account.

Within available fiscal year 2002 funds, the Department is directed, in conjunction with other Federal agencies and departments, to accelerate the development and deployment of the PROTECT program, a chemical agent defensive system to cover multiple stations and tunnels in a high-threat section of the Washington Metropolitan Area Transit Authority subway system and to expand the program to include one Boston transit station.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference agreement provides \$8,200,000 for Defense Environmental Restoration and Waste Management as proposed by the House and the Senate. Of this funding, \$3,300,000 is for the Hanford site in Washington and \$4,900,000 is for the Savannah River Site in South Carolina to provide additional safeguards and security measures.

OTHER DEFENSE ACTIVITIES

The conference agreement provides \$3,500,000 for Other Defense Activities as proposed by the House and the Senate. Of these funds, \$2,500,000 is to expand the protective forces, replace out-

dated alarm and radio systems, and install public address systems at the Department of Energy's Washington, D.C., facilities. Funding of \$1,000,000 will be used to purchase and accelerate deployment of distributed air sampling units for the detection of biological agents using the prototype Biological Aerosol Sentry and Information System.

INDEPENDENT AGENCY

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$36,000,000 for salaries and expenses at the Nuclear Regulatory Commission as proposed by the Senate. These additional resources are to be used: re-analyze the vulnerabilities and physical protection requirements for NRC-licensed facilities and for radioactive materials in transit; re-analyze the design basis threats which are used to design safeguards systems to protect against acts of radiological sabotage and to prevent the theft of nuclear materials; strengthen the processes used to authorize access to NRC-licensed facilities; upgrade NRC's emergency preparedness and incident response programs; and strengthen NRC's infrastructure and communications capabilities. The conferees direct the Commission to utilize the resources of the National Infrastructure Simulation and Analysis Center in these efforts. The conferees intend that these funds shall be excluded from license fee revenues.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 501. The conference agreement includes a provision proposed by the Senate which provides that up to \$500,000 may be available to the Secretary of Energy for safety improvements to roads along the shipping route to the Waste Isolation Pilot Plant site. These funds are to be made available from funds provided to the Carlsbad Office.

Sec. 502. The conference agreement includes a technical correction proposed by the Senate to provide \$400,000 to initiate construction on Nutwood Levee, Illinois, project. This project was improperly described in the Energy and Water Development Appropriations Act, 2002.

Sec. 503. The conference agreement includes a provision proposed by the Senate amending the Reclamation Safety of Dams Act of 1978.

Sec. 504. The conference agreement includes a technical correction proposed by the Senate relating to the Jicarilla, New Mexico, municipal water system. This project was included under the wrong account in the Energy and Water Development Appropriations Act, 2002.

Sec. 505. The conference agreement includes a provision proposed by the House relating to the Occoquan Creek, Virginia, project.

requirements, the Department is authorized to use a portion of the \$10,000,000 provided in fiscal year 2002 for new grant awards to reimburse grantees for activities completed pursuant to prior year grant agreements. Should the Department use funds for this purpose, the amount made available for new grant awards shall be reduced accordingly. The conferees direct the Secretary of the Department of Housing and Urban Development to provide bimonthly reports to the Committees on Appropriations on the status of technical assistance funds spent under section 514 of MAHRAA, including the status of the investigation of probable ADA violations, a spending plan for the \$11,300,000 made available under this section, and the status and findings of audits conducted by the Inspector General, with the first report due no later than January 15, 2002.

Modified language is also included earmarking \$1,500,000 from funds provided to the Office of General Counsel and the Office of Multifamily Housing Assistance Restructuring to be used for section 514 technical assistance grants, similar to language proposed by the Senate.

New language is included clarifying that the authorization to use funds to rectify a violation of the Anti-Deficiency Act in no way releases an officer or employees from the requirements set forth pursuant to the Act.

Inserts language making several technical corrections to economic development initiatives under the heading "Community Development Fund" in Public Law 107-73.

CHAPTER 14

GENERAL PROVISIONS

The conference agreement includes section 1401, as proposed by the Senate, which states that amounts obligated pursuant to this division are subject to the terms and conditions provided in Public Law 107-38. The House had no similar provision.

The conference agreement includes section 1402, as proposed by the House and the Senate, concerning availability of funds appropriated within this division.

The conference agreement includes section 1403 concerning transfer authority for national guard expenses for services related to homeland security. Each request for transfer shall include a declaration that, as of the date of the request, none of the funds proposed for transfer have been obligated, and none will be obligated, until the Committees on Appropriations have approved the request.

DIVISION C—SPENDING LIMITS AND BUDGETARY ALLOCATIONS FOR FISCAL YEAR 2002

The conference agreement includes, as division C, budgetary provisions that are necessary to conform existing budget law with final appropriations agreements. Section 101 adjusts the fiscal year 2002 discretionary caps in the Balanced Budget and Emergency Deficit Control Act of 1985 to levels consistent with final appropriations action. This section also provides for conforming adjustments to the fiscal year 2002 budget resolution, and includes a small

budget authority allowance for technical scoring differences that may exist between the Office of Management and Budget and the Congressional Budget Office. Section 102 resets the Pay-As-You-Go scorecard to zero.

DIVISION D—MISCELLANEOUS PROVISIONS

The conference agreement modifies a provision, proposed by the Senate in Division E, related to certain real property in South Dakota. The House bill contained no similar provision.

The conference agreement includes the text of a provision, proposed by the Senate in Division E, Title II, section 201, which expands the number of Trustees of the John F. Kennedy Center for the Performing Arts. The House had no similar provision.

DIVISION A

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follow:

[In thousands of dollars]	
New budget (obligational) authority, fiscal year 2001	\$298,515,154
Budget estimates of new (obligational) authority, fiscal year 2002	319,547,116
House bill, fiscal year 2002	317,624,089
Senate bill, fiscal year 2002	317,623,483
Conference agreement, fiscal year 2002	317,623,747
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+19,108,593
Budget estimates of new (obligational) authority, fiscal year 2002	-1,923,369
House bill, fiscal year 2002	-342
Senate bill, fiscal year 2002	+264

DIVISION B

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 budget estimates, and the House and Senate bills for 2002 follow:

[In thousands of dollars]	
Budget estimates of new (obligational) authority, fiscal year 2002	\$20,000,000
House bill, fiscal year 2002	20,000,000
Senate bill, fiscal year 2002	20,000,000
Conference agreement, fiscal year 2002	20,000,000
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 2002	
House bill, fiscal year 2002	
Senate bill, fiscal year 2002	

For consideration of Division A of the House bill and Division A of the Senate amendment, and modifications committed to conference:

JERRY LEWIS,
BILL YOUNG,
JOE SKEEN,
DAVE HOBSON,
HENRY BONILLA,

GEORGE R. NETHERCUTT, Jr.,
 RANDY "DUKE" CUNNINGHAM,
 RODNEY P. FRELINGHUYSEN,
 TODD TIAHRT,
 JOHN P. MURTHA,
 NORMAN D. DICKS,
 MARTIN OLAV SABO,
 PETER J. VISCLOSKY,
 JAMES P. MORAN,
 DAVID R. OBEY

(except for aircraft leasing),

For consideration of all other matters of the House bill and other matters of the Senate amendment, and modifications committed to conference:

BILL YOUNG,
 JERRY LEWIS,
 DAVID OBEY,

Managers on the Part of the House.

DANIEL K. INOUE,
 ERNEST F. HOLLINGS,
 ROBERT C. BYRD,
 PATRICK J. LEAHY,
 TOM HARKIN,
 BYRON L. DORGAN,
 RICHARD J. DURBIN,
 HARRY REID,
 DIANNE FEINSTEIN,
 HERB KOHL,
 TED STEVENS,
 THAD COCHRAN,
 ARLEN SPECTER,
 PETE DOMENICI,
 CHRISTOPHER BOND,
 MITCH MCCONNELL,
 RICHARD C. SHELBY,
 JUDD GREGG,
 KAY BAILEY HUTCHISON,

Managers on the Part of the Senate.

