

## HR 3338

Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Economics and Public Finance

**Introduced:** Nov 19, 2001

**Current Status:** Became Public Law No: 107-117.

**Latest Action:** Became Public Law No: 107-117. (Jan 10, 2002)

**Law:** 107-117 (Enacted Jan 10, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/3338>

### Sponsor

**Name:** Rep. Lewis, Jerry [R-CA-40]

**Party:** Republican • **State:** CA • **Chamber:** House

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Nov 19, 2001
Appropriations Committee	Senate	Reported by	Dec 4, 2001

### Subjects & Policy Tags

*No subjects or policy tags are listed for this bill.*

### Related Bills

Bill	Relationship	Last Action
107 HRES 324	Procedurally related	<b>Dec 20, 2001:</b> Motion to reconsider laid on the table Agreed to without objection.
107 HRES 296	Procedurally related	<b>Nov 28, 2001:</b> Motion to reconsider laid on the table Agreed to without objection.

Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 - **Division A: Department of Defense Appropriations, 2002** - Department of Defense Appropriations Act, 2002 - **Title I: Military Personnel** - Appropriates funds for FY 2002 for active-duty and reserve personnel in the Army, Navy, Marine Corps, and Air Force and for National Guard personnel in the Army and Air Force.

**Title II: Operation and Maintenance** - Appropriates funds for FY 2002 for operation and maintenance (O&M) of the Army, Navy, Marine Corps, and Air Force, the defense agencies, the reserve components, and the Army and Air National Guards. Appropriates funds for: (1) the Overseas Contingency Operations Transfer Fund; (2) the United States Court of Appeals for the Armed Forces; (3) environmental restoration for the Army, Navy, and Air Force and defense-wide; (4) environmental restoration at formerly used defense sites; (5) overseas humanitarian, disaster, and civic aid; and (6) defense support for international sporting competitions.

**Title III: Procurement** - Appropriates funds for FY 2002 for procurement by the armed forces and reserve components of aircraft, missiles, weapons, tracked combat vehicles, ammunition, and shipbuilding and for other procurement. Appropriates funds for: (1) defense-wide procurement; (2) certain procurements under the Defense Production Act of 1950; and (3) National Guard and reserve equipment.

**Title IV: Research, Development, Test and Evaluation** - Appropriates funds for FY 2002 for research, development, test, and evaluation (RDT&E) by the armed forces and defense agencies. Appropriates funds for the Director of Operational Test and Evaluation.

**Title V: Revolving and Management Funds** - Appropriates funds for the Defense Working Capital funds and programs under the National Defense Sealift Fund.

**Title VI: Other Department of Defense Programs** - Appropriates funds for: (1) Department of Defense (DOD) medical and health care programs; (2) the destruction of lethal chemical agents and munitions; (3) drug interdiction and counter-drug activities, defense; and (4) the Office of the Inspector General.

**Title VII: Related Agencies** - Appropriates funds for: (1) the Central Intelligence Agency Retirement and Disability System Fund; (2) the Intelligence Community Management Account; (3) payment to the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund; and (4) national security scholarships, fellowships, and grants (using funds derived from the National Security Education Trust Fund).

**Title VIII: General Provisions** - Department of Defense - Specifies authorized, restricted, and prohibited uses of appropriated funds.

(Sec. 8008) Authorizes procurement funds to be used for a multiyear procurement contracts for the UH-60/CH-60 aircraft, the C-17 aircraft, and the F/A-18E and F engine.

(Sec. 8010) Prohibits during FY 2002 the management by end strengths of DOD civilian personnel.

(Sec. 8019) Authorizes the Secretary of Defense (Secretary) to establish, with host governments of NATO-member countries, an account for the deposit of residual amounts negotiated in the return of U.S. military installations to such countries.

(Sec. 8027) Earmarks funds from this Act to maintain an attrition reserve force of 18 B-52 aircraft. Requires a total force of 94 B-52s to be maintained during FY 2002.

(Sec. 8030) Authorizes DOD to incur obligations of up to \$350 million for DOD military personnel compensation, military construction projects, and supplies and services in anticipation of receipts of contributions from the Government of Kuwait.

(Sec. 8032) Prohibits the use of funds from this Act to establish a new DOD federally funded research and development center (FFRDC). Limits the Federal compensation to be paid to FFRDC members or consultants. Prohibits the use of FY 2002 FFRDC funds for new building construction, cost-sharing payments for projects funded by Government grants, absorption of cost overruns, or certain charitable contributions. Limits the staff years of technical effort that may be funded for FFRDCs from FY 2002 funds. Reduces by \$40 million the total amount appropriated in this Act for FFRDCs.

(Sec. 8033) Provides Buy American requirements with respect to the DOD procurement of carbon, alloy, or armor steel plating.

(Sec. 8036) Requires the Secretary to report to Congress on the amount of DOD purchases from foreign entities in FY 2001.

(Sec. 8039) Directs the President to include within each fiscal year budget the amounts requested for administrative activities of DOD, the military departments, and the defense agencies.

(Sec. 8042) Authorizes the Secretary of the Air Force to convey, under the Operation Walking Shield Program, to Indian tribes in North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units at the Grand Forks and Minot Air Force Bases that are excess to the needs of the Air Force.

(Sec. 8047) Earmarks funds appropriated under this Act for the mitigation of adverse environmental impacts on Indian lands resulting from DOD activities.

(Sec. 8049) Appropriates funds to DOD for incentive and bonus programs to address the most pressing recruitment and retention issues in the reserves.

(Sec. 8050) Prohibits the use of funds: (1) by a DOD entity without compliance with the Buy American Act; (2) to establish additional field operating agencies of DOD elements, except for those funded within the National Foreign Intelligence Program; (3) for assistance to the Democratic People's Republic of Korea unless specifically appropriated for such purpose; and (4) to transport chemical munitions to the Johnston Atoll for storage or demilitarization (with an exception and an authorized wartime waiver by the President).

(Sec. 8053) Authorizes the Secretary of the Navy to lease real and personal property at the Adak Naval Air Facility, Alaska.

(Sec. 8054) Rescinds specified funds from various accounts under prior defense appropriations Acts.

(Sec. 8060) Directs the Secretary to certify to Congress that the total renovation cost for wedges 2 through 5 of the Pentagon Reservation, cumulatively, will not exceed four times the total renovation cost of wedge 1. Authorizes an annual cost inflation adjustment. Excludes certain costs under such limitation, including costs necessary as a result of the terrorist attack on the Pentagon. Requires certification reports until all renovation is completed.

(Sec. 8063) Prohibits the transfer to any other department or agency, except as specifically provided in an appropriations law, of funds available to DOD or the Central Intelligence Agency for drug interdiction and counter-drug activities.

(Sec. 8071) Earmarks funds for assistance to public school systems that have unusually high enrollments of special needs military dependents.

(Sec. 8072) Prohibits current fiscal year DOD funds from being obligated or expended to transfer to another nation or international organization defense articles or services for use in any UN peacekeeping or peace enforcement operation, or for any other international peacekeeping, peace enforcement, or humanitarian assistance operation, unless specified congressional committees are given 15 days' advance notice.

(Sec. 8073) Authorizes the Secretary, to the extent authorized by law, to issue loan guarantees in support of U.S. defense exports not otherwise provided for, with a contingent liability limit of \$15 billion. Requires quarterly reports to specified congressional committees.

(Sec. 8081) Authorizes the Secretary, during the current fiscal year, to waive reimbursement of certain educational costs of the Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if determined to be in the national security interest.

(Sec. 8087) Appropriates funds for a grant to the American Red Cross for armed forces emergency services.

(Sec. 8088) Prohibits the use of appropriated funds for approving the license or sale of the F-22 advanced tactical aircraft to any foreign government.

(Sec. 8089) Authorizes the Secretary, on a case-by-case basis, to waive limitations on the procurement of defense items from a foreign country if: (1) the Secretary determines that such limitations would invalidate cooperative or reciprocal trade agreements for the procurement of defense items; and (2) such country does not discriminate against the same or similar defense items procured in the United States for that country. Provides exceptions.

(Sec. 8091) Repeals a provision of the Department of Defense Appropriations Act, 2001, which limits DOD funding for F-22 aircraft engineering, manufacturing development, and production.

(Sec. 8093) Prohibits the use of appropriated funds to support a unit of the security forces of a foreign country if credible information exists that such unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken. Requires the monitoring of such information. Authorizes the Secretary to waive such prohibition under extraordinary circumstances (requiring a report to the defense committees on any such waiver).

(Sec. 8094) Authorizes the Secretary to carry out a program to distribute surplus DOD dental equipment to Indian health service facilities and federally-qualified health centers.

(Sec. 8095) Reduces by \$240 million the total amount appropriated in this Act, to reflect savings from favorable foreign currency fluctuations.

(Sec. 8097) Requires the defense budget for FY 2003 and thereafter to include separate budget justification documents for military participation in contingency operations under specified accounts.

(Sec. 8098) Reduces by \$50 million the total amount appropriated under titles I and II of this Act, to reflect a reduction in legislative liaison or affairs functions.

(Sec. 8102) Reduces by \$262 million the total amount appropriated in this Act, to reduce cost growth in travel within military O&M accounts.

(Sec. 8103) Provides for the crediting during the current fiscal year of certain refunds attributable to the use of Government travel or purchase cards or refunds for travel arranged by a Government-contracted travel management center.

(Sec. 8104) Prohibits appropriated funds from being used for a mission critical or mission essential financial management information technology system that is not registered with the DOD Chief Information Officer. Prohibits such a system from receiving a Milestone I, II, or III approval until the Under Secretary of Defense (Comptroller) certifies that the system is being developed in accordance with DOD's financial management modernization plan.

(Sec. 8106) Prohibits appropriated funds from being used to transfer to any nongovernmental entity specified armor-piercing ammunition, except to an entity performing demilitarization services for DOD.

(Sec. 8107) Authorizes the Chief of the National Guard Bureau to waive payment for the lease of non-excess DOD personal property to certain youth, social, or fraternal non-profit organizations.

(Sec. 8109) Authorizes the Center of Excellence for Disaster Management and Humanitarian Assistance to pay expenses of providing education and training for appropriate foreign military and civilian personnel in disaster management, peace operations, and humanitarian assistance.

(Sec. 8111) Appropriates funds for: (1) a grant to the United Service Organizations; (2) the construction and furnishing of additional Fisher houses; and (3) fossil energy research and development.

(Sec. 8112) Earmarks specified RDT&E funds for the Arrow missile defense program.

(Sec. 8116) Appropriates funds to DOD for grants to the: (1) Fort Des Moines Memorial Park and Education Center; and (2) National D-Day Museum.

(Sec. 8120) Amends the Department of Defense Appropriations Act, 2000 to authorize the Dwight D. Eisenhower Memorial Commission to establish a permanent Eisenhower memorial on land under the jurisdiction of the Secretary of the Interior in the District of Columbia or its environs. Establishes in the Treasury a fund for contributions toward such memorial. Appropriates funds to DOD for a grant to the Commission for direct administrative support.

(Sec. 8123) Reduces by \$1.65 billion the total amount appropriated in this Act, to reflect savings from business process reforms, management efficiencies, and procurement of administrative and management support.

(Sec. 8125) Appropriates funds to the Secretary to establish a Regional Defense Counterterrorism Fellowship Program.

(Sec. 8128) Authorizes the Secretary of the Interior to acquire non-federal lands adjacent to Nellis Air Force Base, Nevada, to ensure continued safe operation of live ordnance departure areas at such Base.

(Sec. 8129) Makes specified Navy shipbuilding and conversion funds available to fund prior-year shipbuilding cost increases, allocating such funds among specified naval accounts.

(Sec. 8130) Directs the Secretary of the Navy to make specified transfers among Navy shipbuilding and conversion appropriations.

(Sec. 8131) Earmarks specified Navy O&M funds for the repair of the U.S.S. COLE.

(Sec. 8133) Authorizes the Secretary of the Navy to settle any and all admiralty claims arising out of the collision involving the U.S.S. GREENEVILLE and the EHIME MARU.

(Sec. 8135) Reduces by \$105 million the total amount appropriated in this Act, to reflect savings in utilities costs.

(Sec. 8136) Earmarks specified Air Force O&M funds for the repair, restoration, and preservation of the Lafayette Escadrille Memorial in Marnes la-Coguette, France.

(Sec. 8137) Designates as a national memorial commemorating U.S. participation in World War I the five-foot tall white cross erected in 1934 by the U.S. Veterans of Foreign Wars along Cima Road in San Bernardino County, California, and located within the Mojave National Preserve. Requires the reinstallation of a memorial plaque near such cross.

(Sec. 8140) Appropriates funds for: (1) relocation of the Fairchild Air Force Base Elementary School, Washington; (2) the purchase and installation of equipment for a special needs learning center at the submarine base in Bangor, Washington; (3) a grant to the city of San Bernardino, California; and (4) reestablishing the Tethered Aerostat Radar System at Morgan City, Louisiana.

(Sec. 8143) Directs the Secretary of the Army to undertake specified site remediation activities at the Shpack Landfill site in Norton and Attleboro, Massachusetts, and the Shallow Land Disposal Area in Armstrong County, Pennsylvania. Provides special rules with respect to the latter cleanup.

(Sec. 8146) Reduces by \$100 million the total O&M funds appropriated in this Act, to reflect savings attributable to improved supervision in determining appropriate purchases using the Government purchase card.

(Sec. 8147) Directs the Secretaries of Defense and Veterans Affairs to jointly conduct an assessment that identifies and evaluates changes to their department's health care delivery policies and procedures in order to provide improved health care services at reduced costs.

(Sec. 8148) Authorizes O&M funds to be used for the purchase of ultra lightweight camouflage net systems.

(Sec. 8149) Reduces by \$5 million the total amount appropriated for Army O&M, to reflect efficiencies in Army acquisition management practices. Requires a report from the Secretary of the Army to the defense committees on Army reorganization.

(Sec. 8150) Earmarks funds for the Secretary of the Army to fund a venture capital investment corporation.

(Sec. 8152) Authorizes the Secretary to waive certain financial statement requirements with respect to Army and Navy accounts to the extent necessary due to the effects of the terrorist attack on the Pentagon.

(Sec. 8153) Authorizes the Secretary of the Air Force to enter into or extend an existing multiyear procurement contract for the C-17 aircraft, with limitations.

(Sec. 8154) Earmarks defense-wide O&M funds for: (1) payment of expenses incurred after April 1, 2002, by the Commission on the Future of the United States Aerospace Industry; and (2) a grant or grants to the Somerset County (Pennsylvania) Board of Commissioners for a memorial at the site of the airplane crash of Flight 93 on September 11, 2001.

(Sec. 8156) Expresses the sense of Congress that: (1) it is vital that the United States maintain a domestic manufacturing base for certain products necessary to national security; and (2) the United States should act to preserve any such base that is threatened.

(Sec. 8157) Directs the Secretary to report to: (1) the defense committees and subcommittees on the safety and security of munitions shipments that use commercial trucking carriers within the United States; and (2) Congress on safety and security procedures used for U.S. munitions shipments in European NATO countries.

(Sec. 8158) Appropriates funds to DOD for a grant to the Citadel for the Padgett Thomas Barracks in Charleston, South Carolina.

(Sec. 8159) Authorizes the Secretary of the Air Force to establish a multiyear pilot program for leasing general purpose Boeing 767 aircraft in commercial configuration. Requires annual reports from the Secretary to the defense committees and subcommittees on the status of the pilot program.

(Sec. 8160) Earmarks specified O&M funds for: (1) repairs and safety improvements of Camp McCain Road in Mississippi; and (2) renovation of the Broadway Armory, Chicago, Illinois.

(Sec. 8162) Expresses the sense of Congress that the U.S. military aircraft industrial base be preserved. Requires a study of the current and future adequacy of such base.

(Sec. 8163) Appropriates funds to DOD for a grant to the Armed Forces Retirement Homes.

(Sec. 8164) Directs the Secretary of the Army to report to the appropriations committees an assessment of current risks under, and alternatives to, the current Army plan for the destruction of chemical weapons.

(Sec. 8165) Earmarks specified defense-wide O&M funds for the Defense Leadership and Management Program.

(Sec. 8166) Expresses the sense of Congress that: (1) the Secretary of State, in cooperation with the Secretary, should work with the Government of the Philippines and with appropriate non-governmental organizations in the United States and the Philippines to fully identify and share all relevant information concerning environmental contamination and health effects emanating from former U.S. military facilities in the Philippines following the departure of U.S. military forces; and (2) the United States and the Philippines should continue to build upon the agreements outlined in the Framework for Bilateral Cooperation in the Environment and Public Health.

(Sec. 8167) Authorizes the burial in Arlington National Cemetery, Virginia, of any individual (and his or her spouse) who: (1) died as a direct result of the terrorist attacks on September 11, 2001; and (2) would have been eligible for such burial by reason of service in a reserve component but for the fact that the individual was under 60 years of age at the time of death.

(Sec. 8169) Earmarks specified O&M funds for: (1) impact aid for children with severe disabilities; and (2) certain roof repair at the Rosencrans Memorial Airport, St. Joseph, Missouri.

(Sec. 8171) Requires a report from the Secretary to Congress describing steps taken to develop cooperative threat reduction programs with India and Pakistan.

(Sec. 8172) Requires the Secretary to determine the nature and extent of the exposure of current and former employees of the Iowa Army Ammunition Plant, including contractor and subcontractor employees, to radioactive or other hazardous

substances at such facility. Requires such employees to be notified concerning such exposure.

(Sec. 8173) Prohibits any funds made available in this Division from being used to provide support or other assistance to the International Criminal Court or any criminal investigation or other prosecutorial activity of such Court.

**Title IX: Counter-Terrorism and Defense Against Weapons of Mass Destruction** - Appropriates funds to protect against terrorist attacks that might employ either conventional means or weapons of mass destruction, to prepare against the consequences of such attacks, to protect sensitive military data or networks, and to accelerate improvements in information networks and operations. Allocates such funds among specified programs.

Appropriates funds for former Soviet Union threat reduction.

**Division B: Transfers From the Emergency Response Fund Pursuant to Public Law 107-38** - Emergency Supplemental Act, 2002 - Transfers funds appropriated in Public Law 107-38 (2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States) and previously designated as emergency funds to the following for emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States(terrorist attacks): (1) the Departments of Agriculture, Health and Human Services, Justice, Commerce, State and related agencies, Defense, the Interior, Energy, Labor, Education and related agencies, Transportation and related agencies, the Treasury, Veterans Affairs, and Housing and Urban Development; and (2) the Judiciary.

(Sec. 203) Increases to \$10 million the limit on SBA loans outstanding and committed to a borrower in the disaster areas declared in response to the terrorist attacks. Decreases, for a period of one year following the enactment of this Act, the annual loan fee charged on SBA deferred participation loans made to small businesses adversely affected by such attacks.

(Sec. 204) Directs the Secretary of State to report to the appropriations committees on the United States-People's Republic of China Science and Technology Agreement of 1979, including all protocols.

(Sec. 302) Makes funds from the Support for International Sporting Competitions, Defense, account available for the 2002 Winter Olympic Games in Salt Lake City, Utah, without a certification otherwise required concerning fund use.

(Sec. 304) Makes amounts in the Defense Emergency Response Fund available for payments to Pakistan and Jordan for logistical and military support provided in connection with Operation Enduring Freedom.

(Sec. 305) Earmarks funds appropriated in this Act for: (1) reconstruction of the Pentagon and related activities; and (2) transfer to DOD O&M accounts for costs incurred in support of Operations Enduring Freedom and Noble Anvil.

(Sec. 307) Authorizes the President, during FY 2002, to appoint an active commissioned officer as Deputy Administrator of the National Aeronautics and Space Administration.

Makes funds transferred under this Division available for Federal payments to the District of Columbia for: (1) protective clothing and breathing apparatus; (2) specialized hazardous materials equipment; (3) chemical and biological weapons preparedness; (4) pharmaceuticals for responders; (5) response and communications capability; (6) search, rescue, and other emergency equipment and support; (7) equipment, supplies, and vehicles for the Office of the Chief Medical Examiner; (8) hospital containment facilities; (9) the Office of the Chief Technology Officer; (10) emergency traffic management; (11) training and planning; (12) increased facility security; (13) the Washington Metropolitan Area Transit Authority; and (14) the Metropolitan Washington Council of Governors.

(Sec. 402) Requires the Chief Financial Officers of the District of Columbia and the Washington Metropolitan Area Transit Authority and the Executive Director for the Metropolitan Washington Council of Governments to report quarterly to the President and the appropriations committees on the use of such transferred funds.

Makes funds transferred under this Division available for emergency expenses to respond to the terrorist attacks for: (1) the Departments of Defense, the Interior, Energy, Labor, Health and Human Services, and Education; (2) the Smithsonian Institution, National Gallery of Art, and John F. Kennedy Center for the Performing Arts; (3) the National Capital Planning Commission; (4) the Social Security Administration; (5) the National Labor Relations Board; and (6) the legislative branch.

(Sec. 701) Directs the Secretary of the Smithsonian Institution to collect and preserve in the National Museum of American History artifacts relating to the September 11th attacks on the World Trade Center and the Pentagon. Authorizes appropriations.

(Sec. 901) Authorizes the Senate Sergeant at Arms and the Chief Administrative Officer of the House of Representatives, in order to respond to an emergency situation, to acquire buildings and facilities and to enter into agreements for the use of such buildings or facilities.

(Sec. 905) Establishes the House of Representatives Office of Emergency Planning, Preparedness, and Operations.

(Sec. 906) Requires any anthrax-contaminated mail delivered to the Senate or House to be destroyed or otherwise disposed of.

(Sec. 909) Authorizes the Chief of the U.S. Capitol Police to pay a recruitment and relocation bonus to a newly appointed Capitol policeman and authorizes certain related recruitment and retention bonuses.

(Sec. 911) Authorizes executive departments and agencies to assist the U.S. Capitol Police in the performance of their duties.

(Sec. 912) Authorizes the Chief of the U.S. Capitol Police, in an emergency, to deputize members of the District of Columbia National Guard and law enforcement officers for policing the Capitol grounds.

(Sec. 1001) Authorizes the Secretary to use funds from the Defense Emergency Response Fund to carry out military construction projects in response to or protection from acts or threatened acts of terrorism (requires congressional notification).

(Sec. 1101) Amends the Transportation Equity Act for the 21st Century to authorize the Department of Transportation to extend a competitively awarded original contract for deployment of an intelligent transportation infrastructure system.

Makes funds transferred under this Division available for emergency expenses to respond to the terrorist attacks for: (1) the Department of Transportation, including the Coast Guard, the Federal Aviation Administration, and the Federal Highway Administration; (2) the National Transportation Safety Board; (3) the Department of the Treasury, including the U.S. Customs Service, the Internal Revenue Service, the U.S. Secret Service, and the Postal Service; (4) the Executive Office of the President; (5) the General Services Administration; (6) the National Archives and Records Administration; (7) the Departments of Veterans Affairs and Housing and Urban Development; (8) the Environmental Protection Agency; (9) the Federal Emergency Management Agency; (10) the National Aeronautics and Space Administration; and (11) the National Science Foundation.

(Sec. 1301) Unity in the Spirit of America Act (or USA Act) - Directs the Points of Light Foundation (funded under this Act) to: (1) estimate the number of victims killed as a result of the terrorist attacks of September 11, 2001; and (2) compile a list that specifies the names of each victim and their State of residence. Authorizes the Foundation to identify community-based national and service projects and to name such projects in honor of such victims. Requires the Foundation to establish and maintain websites and databases describing and recognizing such projects.

(Sec. 1303) Provides up to \$11.3 million from previously appropriated funds for the recordation and liquidation of obligations and deficiencies incurred in prior years in connection with the provision of technical assistance authorized under the Multifamily Assisted Housing Reform and Affordability Act of 1997.

(Sec. 1403) Provides requirements for the transfer to DOD of funds to cover National Guard expenses for services related to homeland security.

**Division C: Spending Limits and Budgetary Allocations for Fiscal Year 2002** - Amends the Balanced Budget and Emergency Deficit Control Act of 1985 to increase the FY 2002 discretionary spending limits for new budget authority and outlays. Directs the Chairmen of the House and Senate Budget Committees to revise the aggregate levels of new budget authority and outlays for FY 2002 in accordance with such increase, as well as related allocations to the Appropriations Committees. Requires the Director of the Office of Management and Budget to make adjustments required (up to a specified limit) if the amount of new budget authority provided in appropriation Acts exceeds the discretionary spending limit on new budget authority for any category due to technical estimates made by the Director.

**Division D: Miscellaneous Provisions - Title I: Conveyance of Homestake Mine** - Homestake Mine Conveyance Act of 2001 - Prescribes procedural guidelines for the conveyance of certain portions of the Homestake Mine to the State of South Dakota, including the assumption of liability by the United States for specified damages, reclamation, and hazardous substance response.

(Sec. 108) Requires the State of South Dakota to establish an Environment and Project Trust Fund to pay for designated expenses including environmental cleanup, remediation, and hazardous substance removal.

(Sec. 111) States that this title shall be effective contingent upon approval of the Mine by the National Science Foundation as a national underground scientific laboratory site.

(Sec. 115) Authorizes appropriations.

**Title II: General Provision, This Division** - Amends the John F. Kennedy Center Act to expand the membership of the Trustees of the John F. Kennedy Center for the Performing Arts.

## Actions Timeline

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- **Jan 10, 2002:** Signed by President.
- **Jan 10, 2002:** Signed by President.
- **Jan 10, 2002:** Became Public Law No: 107-117.
- **Jan 10, 2002:** Became Public Law No: 107-117.
- **Jan 7, 2002:** Presented to President.
- **Jan 7, 2002:** Presented to President.
- **Dec 20, 2001:** Rules Committee Resolution H. Res. 324 Reported to House. Rule provides for consideration of the conference report to H.R. 3338. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read when called up for consideration.
- **Dec 20, 2001:** Rule H. Res. 324 passed House.
- **Dec 20, 2001:** Mr. Lewis (CA) brought up conference report H. Rept. 107-350 for consideration under the provisions of H. Res. 324. (consideration: CR H10917-10934)
- **Dec 20, 2001:** DEBATE - The House proceeded with one hour of debate on the conference report.
- **Dec 20, 2001:** The previous question was ordered pursuant to the rule.
- **Dec 20, 2001:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Dec 20, 2001:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 408 - 6 (Roll no. 510).
- **Dec 20, 2001:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 20, 2001:** On agreeing to the conference report Agreed to by the Yeas and Nays: 408 - 6 (Roll no. 510).
- **Dec 20, 2001:** Conference report considered in Senate. (consideration: CR S13832-13856, S13864-13865, S13869-13871)
- **Dec 20, 2001:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 94 - 2. Record Vote Number: 380.
- **Dec 20, 2001:** Senate agreed to conference report by Yea-Nay Vote. 94 - 2. Record Vote Number: 380.
- **Dec 20, 2001:** Message on Senate action sent to the House.
- **Dec 19, 2001:** Conference report filed: Conference report H. Rept. 107-350 filed.(text of conference report: CR H10503-10820)
- **Dec 19, 2001:** Conference report H. Rept. 107-350 filed. (text of conference report: CR H10503-10820)
- **Dec 18, 2001:** Conference committee actions: Conferees agreed to file conference report.
- **Dec 18, 2001:** Conferees agreed to file conference report.
- **Dec 12, 2001:** Mr. Lewis (CA) asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference.
- **Dec 12, 2001:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection.
- **Dec 12, 2001:** Mr. Obey moved that the House instruct conferees.
- **Dec 12, 2001:** DEBATE - The House proceeded with one hour of debate on the Obey motion to instruct conferees.
- **Dec 12, 2001:** The previous question was ordered without objection.
- **Dec 12, 2001:** On motion that the House instruct conferees Agreed to by the Yeas and Nays: 370 - 44 (Roll no. 494). (consideration: CR H9311-9318)
- **Dec 12, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 12, 2001:** The Speaker appointed conferees for consideration of Division A of the House bill and Division A of the Senate amendment, and modifications committed to conference: Lewis (CA), Young (FL), Skeen, Hobson, Bonilla, Nethercutt, Cunningham, Frelinghuysen, Tiahrt, Murtha, Dicks, Sabo, Visclosky, Moran (VA), and Obey.
- **Dec 12, 2001:** The Speaker appointed conferees for consideration of all other matters of the House bill and all other matters of the Senate amendment, and modifications committed to conference: Young (FL), Lewis (CA), and Obey.
- **Dec 12, 2001:** Mr. Lewis (CA) moved that the House close portions of the conference.
- **Dec 11, 2001:** Message on Senate action sent to the House.
- **Dec 7, 2001:** Considered by Senate. (consideration: CR S12586-12676)
- **Dec 7, 2001:** Point of order against the committee substitute raised in Senate.
- **Dec 7, 2001:** Motion to waive the Budget Act with respect to the measure (re: the committee substitute) made in Senate.

- Dec 7, 2001:** Motion to waive the Budget Act with respect to the measure (re: the committee substitute) rejected in Senate by Yea-Nay Vote. 50 - 50. Record Vote Number: 357.
- **Dec 7, 2001:** The committee substitute to H.R. 3338 was ruled out of order by the chair.
- **Dec 7, 2001:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.(text: CR 12/10/2001 S12779-12812)
- **Dec 7, 2001:** Passed Senate with an amendment by Voice Vote. (text: CR 12/10/2001 S12779-12812)
- **Dec 7, 2001:** Senate insists on its amendment, asks for a conference, appoints conferees Inouye, Hollings, Byrd, Leahy, Harkin, Dorgan, Durbin, Reid, Feinstein, Kohl, Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg and Hutchison.
- **Dec 6, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S12476-12529; text of measure as reported in Senate: CR S12477-12500)
- **Dec 6, 2001:** Point of order against the measure raised in Senate.
- **Dec 6, 2001:** Motion to waive the Budget Act with respect to the measure made in Senate.
- **Dec 6, 2001:** The motion to waive the CBA was subsequently divided into Division I and Division II.
- **Dec 6, 2001:** Motion to waive the Budget Act with respect to the measure (Division I of the motion re: the emergency designation on page 397 of the committee substitute to H.R. 3338) rejected in Senate by Yea-Nay Vote. 50 - 48. Record Vote Number: 354.
- **Dec 6, 2001:** Motion to waive the Budget Act with respect to the measure (Division II of the motion re: the emergency designation on page 398 of the committee substitute to H.R. 3338) rejected in Senate by Yea-Nay Vote. 50 - 48. Record Vote Number: 355.
- **Dec 5, 2001:** By Senator Inouye from Committee on Appropriations filed written report. Report No. 107-109.
- **Dec 5, 2001:** By Senator Inouye from Committee on Appropriations filed written report. Report No. 107-109.
- **Dec 4, 2001:** Committee on Appropriations Subcommittee on Defense. Approved for full committee consideration with an amendment in the nature of a substitute favorably.
- **Dec 4, 2001:** Committee on Appropriations. Reported by Senator Inouye with an amendment in the nature of a substitute. Without written report.
- **Dec 4, 2001:** Committee on Appropriations. Reported by Senator Inouye with an amendment in the nature of a substitute. Without written report.
- **Dec 4, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 254.
- **Nov 29, 2001:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Nov 28, 2001:** Rule H. Res. 296 passed House.
- **Nov 28, 2001:** Considered under the provisions of rule H. Res. 296. (consideration: CR H8441-8551; text of Title I as reported in House: CR H8457-8458; text of Title II as reported in House: CR H8458-8459; text of Title III as reported in House: CR H8459-8461; text of Title IV as reported in House: CR H8461; text of Title V as reported in House: CR H8461; text of Title VI as reported in House: CR H8461; text of Title VII as reported in House: CR H8461; text of Title VIII as reported in House: CR H8461-8472, H8473-8474, H8480, H8506-8512, H8550)
- **Nov 28, 2001:** Rule provides for consideration of H.R. 3338 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **Nov 28, 2001:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 296 and Rule XXIII.
- **Nov 28, 2001:** The Speaker designated the Honorable Dave Camp to act as Chairman of the Committee.
- **Nov 28, 2001:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3338.
- **Nov 28, 2001:** DEBATE - Unless otherwise specified, all debate on amendments will proceed under the five-minute rule.
- **Nov 28, 2001:** POINT OF ORDER RESERVED - Mr. Lewis of California reserved a point of order against the Filner amendment.
- **Nov 28, 2001:** Mr. Filner appealed the ruling of the Chair. The question was then put on sustaining the ruling of the Chair.
- **Nov 28, 2001:** CALL IN COMMITTEE - The question was put on sustaining to the ruling of the Chair and by voice vote, the Chair announced that the ayes had prevailed. Mr. Filner demanded a recorded vote and pending that, made a point of no quorum. The Chair subsequently announced that following a quorum call, a five-minute vote would ensue on the question of sustaining to the ruling of the Chair.
- **Nov 28, 2001:** On sustaining the ruling of the Chair. Agreed to by recorded vote: 275 - 141 (Roll no. 456).

- **Nov 28, 2001:** POINT OF ORDER RESERVED - Mr. Lewis of California reserved a point of order against the Kucinich amendment.
- **Nov 28, 2001:** RESERVATION OF POINT OF ORDER - Mr. Young of Florida reserved a point of order against the Obey amendment.
- **Nov 28, 2001:** DEBATE - Mr. Young of Florida asked unanimous consent that debate on the Obey amendment and all amendments thereto, continue for not to exceed 90 minutes, equally divided and controlled. Agreed to without objection.
- **Nov 28, 2001:** ORDER OF PROCEDURE - Mr. Young of Florida asked unanimous consent that section 803 of the bill be stricken. Agreed to without objection.
- **Nov 28, 2001:** Mr. Young (AK) raised a point of order against the content of the measure. Mr. Young of Alaska made a point of order against the provisions of the bill regarding the Airport and Airway Trust Fund on page 183. The Chair sustained the point of order.
- **Nov 28, 2001:** Mr. Petri raised a point of order against the content of the measure. Mr. Petri made a point of order against the provisions of the bill regarding the Highway Trust Fund on page 184. The Chair sustained the point of order.
- **Nov 28, 2001:** Mr. Lipinski raised a point of order against the content of the measure. Mr. Lipinski made a point of order against the provisions of the bill regarding the Airport and Airway Trust Fund on page 184. The Chair sustained the point of order.
- **Nov 28, 2001:** RESERVATION OF POINT OF ORDER - Mr. Lewis of California reserved a point of order against the Filner amendment.
- **Nov 28, 2001:** RESERVATION OF POINT OF ORDER - Mr. Rogers reserved a point of order against the Visclosky amendment.
- **Nov 28, 2001:** DEBATE - Mr. Rogers asked unanimous consent that debate on the Visclosky amendment and all amendments thereto, be limited for not to exceed 30 minutes, equally divided and controlled. Agreed to without objection.
- **Nov 28, 2001:** RESERVATION OF POINT OF ORDER - Mr. Lewis of California reserved a point of order against the Lowey amendment.
- **Nov 28, 2001:** DEBATE - Mr. Young of Florida asked unanimous consent that debate on the Lowey amendment and all amendments thereto, be limited to not to exceed one hour, equally divided and controlled.
- **Nov 28, 2001:** POINT OF ORDER RESERVED - Messrs. Young of Florida and Obey of Wisconsin each reserved a point of order against the LoBiondo amendment.
- **Nov 28, 2001:** DEBATE - Mr. Young of Florida asked unanimous consent that debate on the LoBiondo amendment and all amendments thereto, be limited to not to exceed 30 minutes, equally divided and controlled. Agreed to without objection.
- **Nov 28, 2001:** DEBATE - Mr. Rogers asked unanimous consent that debate on the George Miller (CA) amendment and all amendments thereto, be limited to not to exceed 60 minutes, equally divided and controlled. Agreed to without objection.
- **Nov 28, 2001:** VOTE POSTPONED - The Chair put the question on the amendment offered by George Miller of California and announced that the ayes had prevailed. Mr. Walsh demanded a recorded vote and pursuant to the provisions of H.Res 296 the Chair postponed further proceedings on the amendment until later in the legislative day.
- **Nov 28, 2001:** The previous question was ordered pursuant to the rule.
- **Nov 28, 2001:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Nov 28, 2001:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 406 - 20 (Roll no. 458).
- **Nov 28, 2001:** On passage Passed by the Yeas and Nays: 406 - 20 (Roll no. 458).
- **Nov 28, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 27, 2001:** Rules Committee Resolution H. Res. 296 Reported to House. Rule provides for consideration of H.R. 3338 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **Nov 19, 2001:** Introduced in House
- **Nov 19, 2001:** Referred to the House Committee on Appropriations.
- **Nov 19, 2001:** The House Committee on Appropriations reported an original measure, H. Rept. 107-298, by Mr. Lewis (CA).
- **Nov 19, 2001:** Placed on the Union Calendar, Calendar No. 179.

**Nov 19, 2001:** The House Committee on Appropriations reported an original measure, H. Rept. 107-298, by Mr. Lewis (CA).