

**AMENDMENTS TO H.R. 2586, AS REPORTED**  
**OFFERED BY MR. STUMP OF ARIZONA**

At the end of subtitle A of title I (page 18, after line 25), insert the following new section:

1 **SEC. \_\_\_\_ . ADDITIONAL AMOUNT FOR SHIPBUILDING AND**  
2 **CONVERSION, NAVY.**

3 (a) INCREASE IN SCN AMOUNT.—The amount pro-  
4 vided in section 102(a)(3) for shipbuilding and conversion  
5 for the Navy is hereby increased by \$57,100,000, to be  
6 available for the U.S.S. Eisenhower (CVN-69) Refueling  
7 Complex Overhaul program.

8 (b) OFFSET.—The amount provided in section  
9 301(5) is hereby reduced by \$57,100,000, to be derived  
10 from amounts for consulting services.

Strike section 121 (page 20, line 2, through page 21, line 2).

At the end of subtitle B of title II (page 27, after line 24), insert the following new sections:



1 **SEC. \_\_\_\_ . COST LIMITATION APPLICABLE TO F-22 AIR-**  
2 **CRAFT PROGRAM ENGINEERING AND MANU-**  
3 **FACTURING DEVELOPMENT.**

4 Section 217(c)(3) of the National Defense Authoriza-  
5 tion Act for Fiscal Year 1998 (Public Law 105-85; 111  
6 Stat. 1660) is amended by inserting “plus \$250,000,000”  
7 after “and (2))”.

8 **SEC. \_\_\_\_ . C-5 AIRCRAFT MODERNIZATION.**

9 (a) INCREASE IN AIR FORCE RDTE AMOUNT.—The  
10 amount provided in section 201(3) for Research, Develop-  
11 ment, Test, and Evaluation for the Air Force is hereby  
12 increased by \$30,000,000, to be available for Re-engining  
13 and Avionics Modernization for the C-5 aircraft.

14 (b) OFFSET.—The amount provided in section  
15 301(5) is hereby reduced by \$30,000,000, to be derived  
16 from amounts for consulting services.

Strike section 331 (page 58, beginning on line 19)  
and insert the following:

17 **SEC. 331. WORKFORCE REVIEW LIMITATIONS.**

18 (a) LIMITATION PENDING GAO REPORT.—No more  
19 than 50 percent of the workforce reviews planned during  
20 fiscal year 2002 may be initiated before the date that is  
21 the earlier of (1) May 1, 2002, or (2) the date on which  
22 the Comptroller General submits to Congress the report  
23 required by section 832 of the Floyd D. Spence National



1 Defense Authorization Act for Fiscal Year 2001 (as en-  
2 acted by Public Law 106-398; 114 Stat. 1654A-221), re-  
3 garding policies and procedures governing the transfer of  
4 commercial activities from Government personnel to Fed-  
5 eral contractors.

6 (b) REQUIRED COST SAVINGS LEVEL FOR  
7 CHANGE.—(1) A commercial or industrial type function  
8 of the Department of Defense may not be changed to per-  
9 formance by the private sector as a result of a workforce  
10 review unless, as a result of the cost comparison examina-  
11 tion required as part of the review that employed the most  
12 efficient organization process described in Office of Man-  
13 agement and Budget Circular A-76 or any successor ad-  
14 ministrative regulation or policy, at least a 10-percent cost  
15 savings would be achieved by performance of the function  
16 by the private sector over the term of the contract.

17 (2) The cost savings requirement specified in para-  
18 graph (1) does not apply to any contracts for special stud-  
19 ies and analyses, construction services, architectural serv-  
20 ices, engineering services, medical services, scientific and  
21 technical services related to (but not in support of) re-  
22 search and development, and depot-level maintenance and  
23 repair services.

24 (3) The Secretary of Defense may waive the cost sav-  
25 ings requirement if—



1 (A) the written waiver is prepared by the Sec-  
2 retary of Defense, or the relevant Assistant Sec-  
3 retary or agency head; and

4 (B) the written waiver is accompanied by a de-  
5 tailed determination that national security interests  
6 are so compelling as to preclude compliance with the  
7 requirement for a cost comparison examination.

8 (C) The Secretary of Defense shall publish a  
9 copy of the waiver in the Federal Register.

10 (c) WORKFORCE REVIEW DEFINED.—In this section,  
11 the term “workforce review” with respect to a function  
12 of the Department of Defense performed by Department  
13 of Defense civilian employees, means a review conducted  
14 under Office of Management and Budget Circular A-76  
15 (or any successor administrative regulation or policy).

Strike subtitle G of title III (page 71, beginning on  
line 12), relating to the Department of Defense Service  
Contracting Reform Act of 2001.

At the end of subtitle F of title III (page 71, after  
line 11), insert the following new section:



1 **SEC. \_\_\_\_.** **SENSE OF CONGRESS REGARDING SECURITY TO**  
2 **BE PROVIDED AT THE 2002 WINTER OLYMPIC**  
3 **GAMES.**

4 It is the sense of Congress that the Secretary of De-  
5 fense should provide essential and appropriate public safe-  
6 ty and security support for the 2002 Winter Olympic  
7 Games in Salt Lake City, Utah.

Page 179, line 18, insert “(a) ACCESS TO DIREC-  
TORY INFORMATION.—” before “Section”.

Page 180, after line 3, insert the following:

8 (b) **ENHANCED RECRUITER ACCESS.**—Section  
9 503(c)(5) of such title is amended by striking “do not  
10 apply to—” and all that follows through “(B)” and insert-  
11 ing “do not apply to”.

12 (c) **EFFECTIVE DATE.**—The amendments made by  
13 subsections (a) and (b) shall take effect on July 1, 2002,  
14 immediately after the amendment to section 503(c) of title  
15 10, United States Code, made, effective that date, by sec-  
16 tion 563(a) of the Floyd D. Spence National Defense Au-  
17 thorization Act for Fiscal Year 2001 (as enacted into law  
18 by Public Law 106–398; 114 Stat. 1654A–131).

Strike section 715 (page 231, beginning on line 8,  
and all that follows through page 234, line 18) and insert  
the following new section:



1 **SEC. 715. CLARIFICATIONS AND IMPROVEMENTS REGARD-**  
2 **ING THE DEPARTMENT OF DEFENSE MEDI-**  
3 **CARE-ELIGIBLE RETIREE HEALTH CARE**  
4 **FUND.**

5 (a) CLARIFICATION REGARDING COVERAGE.—Sub-  
6 section (b) of section 1111 of title 10, United States Code,  
7 is amended to read as follows:

8 “(b) In this chapter:

9 “(1) The term ‘Department of Defense retiree  
10 health care programs’ means the provisions of this  
11 title or any other provision of law creating an enti-  
12 tlement to or eligibility for health care under a De-  
13 partment of Defense or uniformed service program  
14 for a member or former member of a participating  
15 uniformed service who is entitled to retired or re-  
16 tainer pay, and an eligible dependent under such  
17 program.

18 “(2) The term ‘eligible dependent’ means a de-  
19 pendent (as such term is defined in section 1072(2)  
20 of this title) described in section 1076(a)(2) (other  
21 than a dependent of a member on active duty),  
22 1076(b), 1086(c)(2), or 1086(c)(3).

23 “(3) The term ‘medicare-eligible’, with respect  
24 to any person, means entitled to benefits under part  
25 A of title XVIII of the Social Security Act (42  
26 U.S.C. 1395c et seq.).



1           “(4) The term ‘participating uniformed service’  
2           means the Army, Navy, Air Force, and Marine  
3           Corps, and any other uniformed service that is cov-  
4           ered by an agreement entered into under subsection  
5           (c).”.

6           (b) PARTICIPATION OF OTHER UNIFORMED SERV-  
7           ICES.—(1) Section 1111 of such title is further amended  
8           by adding at the end the following new subsection:

9           “(c) The Secretary of Defense may enter into an  
10          agreement with any other administering Secretary (as de-  
11          fined in section 1072(3)) for participation in the Fund by  
12          a uniformed service under the jurisdiction of that Sec-  
13          retary. Any such agreement shall require that Secretary  
14          to make contributions to the Fund on behalf of the mem-  
15          bers of the uniformed service under the jurisdiction of that  
16          Secretary comparable to the contributions to the Fund  
17          made by the Secretary of Defense under section 1116, and  
18          such administering Secretary may make such contribu-  
19          tions.”.

20          (2) Section 1112 of such title is amended by adding  
21          at the end the following new paragraph:

22          “(4) Amounts paid into the Fund pursuant to section  
23          1111(c).”.

24          (3) Section 1115 of such title is amended—



1 (A) in subsection (a), by inserting “partici-  
2 pating” before “uniformed services”;

3 (B) in subparagraphs (A)(ii) and (B)(ii) of sub-  
4 section (b)(1), by inserting “under the jurisdiction of  
5 the Secretary of Defense” after “uniformed serv-  
6 ices”;

7 (C) in subsection (b)(2), by inserting “(or to  
8 the other executive department having jurisdiction  
9 over the participating uniformed service)” after “De-  
10 partment of Defense”; and

11 (D) in subparagraphs (A) and (B) of subsection  
12 (c)(1), by inserting “participating” before “uni-  
13 formed services”.

14 (4) Section 1116(a) of such title is amended in para-  
15 graphs (1)(B) and (2)(B) by inserting “under the jurisdic-  
16 tion of the Secretary of Defense” after “uniformed serv-  
17 ices”.

18 (c) CLARIFICATION OF PAYMENTS FROM THE  
19 FUND.—(1) Subsection (a) of section 1113 of such title  
20 is amended to read as follows:

21 “(a) There shall be paid from the Fund amounts pay-  
22 able for the costs of all Department of Defense retiree  
23 health care programs for the benefit of members or former  
24 members of a participating uniformed service who are en-  
25 titled to retired or retainer pay and are medicare eligible,





1 and eligible dependents described in section 1111(b)(3)  
2 who are medicare eligible.”.

3 (2) Such section is further amended by adding at the  
4 end the following new subsections:

5 “(c)(1) In carrying out subsection (a), the Secretary  
6 of Defense may transfer periodically from the Fund to ap-  
7 plicable appropriations of the Department of Defense, or  
8 to applicable appropriations of other departments or agen-  
9 cies, such amounts as the Secretary determines necessary  
10 to cover the costs chargeable to those appropriations for  
11 Department of Defense retiree health care programs for  
12 beneficiaries under those programs who are medicare-eli-  
13 ble. Such transfers may include amounts necessary for the  
14 administration of such programs. Amounts so transferred  
15 shall be merged with and be available for the same pur-  
16 poses and for the same time period as the appropriation  
17 to which transferred. Upon a determination that all or  
18 part of the funds transferred from the Fund are not nec-  
19 essary for the purposes for which transferred, such  
20 amounts may be transferred back to the Fund. This trans-  
21 fer authority is in addition to any other transfer authority  
22 that may be available to the Secretary.

23 “(2) A transfer from the Fund under paragraph (1)  
24 may not be made to an appropriation after the end of the  
25 second fiscal year after the fiscal year that the appropria-



1 tion is available for obligation. A transfer back to the  
2 Fund under paragraph (1) may not be made after the end  
3 of the second fiscal year after the fiscal year that the ap-  
4 propriation to which the funds were originally transferred  
5 is available for obligation.

6 “(d) The Secretary of Defense shall by regulation es-  
7 tablish the method or methods for calculating amounts to  
8 be transferred under subsection (c). Such method or meth-  
9 ods may be based (in whole or in part) on a proportionate  
10 share of the volume (measured as the Secretary deter-  
11 mines appropriate) of health care services provided or paid  
12 for under Department of Defense retiree health care pro-  
13 grams for beneficiaries under those programs who are  
14 medicare-eligible in relation to the total volume of health  
15 care services provided or paid for under Department of  
16 Defense health care programs.

17 “(e) The regulations issued by the Secretary under  
18 subsection (d) shall be provided to the Comptroller Gen-  
19 eral not less than 60 days before such regulations become  
20 effective. The Comptroller General shall, not later than 30  
21 days after receiving such regulations, report to the Sec-  
22 retary of Defense and Congress on the adequacy and ap-  
23 propriateness of the regulations.

24 “(f) If the Secretary of Defense enters into an agree-  
25 ment with another administering Secretary pursuant to



1 section 1111(e), the Secretary of Defense may take ac-  
2 tions comparable to those described in subsections (c), (d),  
3 and (e) to effect comparable activities in relation to the  
4 beneficiaries and programs of the other participating uni-  
5 formed service.”.

6 (d) SOURCE OF FUNDS FOR MONTHLY ACCRUAL  
7 PAYMENTS INTO THE FUND.—Section 1116 of such title  
8 is further amended—

9 (1) in subsection (a)(2)(B) (as amended by sub-  
10 section (b)(7)), by striking the sentence beginning  
11 “Amounts paid into”; and

12 (2) by adding at the end the following new sub-  
13 section:

14 “(c) Amounts paid into the Fund under subsection  
15 (a) shall be paid from funds available for the health care  
16 programs of the participating uniformed services under  
17 the jurisdiction of the respective administering Secre-  
18 taries.”.

19 (e) LIMITATION ON TOTAL AMOUNT CONTRIBUTED  
20 DURING A FISCAL YEAR.—Section 1116 of such title is  
21 further amended by adding at the end the following new  
22 subsection:

23 “(d) In no case may the total amount of monthly con-  
24 tributions to the Fund during a fiscal year under sub-



1 section (a) exceed the amount paid from the Fund during  
2 such fiscal year under section 1113.”.

3 (f) TECHNICAL AMENDMENTS.—(1) The heading for  
4 section 1111 of such title is amended to read as follows:

5 “§ 1111. **Establishment and purpose of Fund; defini-**  
6 **tions; authority to enter into agree-**  
7 **ments”.**

8 (2) The item relating to section 1111 in the table of  
9 sections at the beginning of chapter 56 of such title is  
10 amended to read as follows:

“1111. Establishment and purpose of Fund; definitions; authority to enter into  
agreements.”.

11 (3) Section 1115(c)(1)(B) of such title is amended  
12 by inserting an open parenthesis before “other than for  
13 training)”.

14 (g) EFFECTIVE DATE.—The amendments made by  
15 this section shall take effect as if included in the enact-  
16 ment of chapter 56 of title 10, United States Code, by  
17 section 713(a)(1) of the Floyd D. Spence National De-  
18 fense Authorization Act for Fiscal Year 2001 (Public Law  
19 106–398; 114 Stat. 1654A–179).

20 (h) FIRST YEAR CONTRIBUTIONS.—With respect to  
21 contributions under section 1116(a) of title 10, United  
22 States Code, for the first year that the Department of De-  
23 fense Medicare-Eligible Retiree Health Care Fund is es-  
24 tablished under chapter 56 of such title, if the Board of



1 Actuarial is unable to execute its responsibilities with re-  
2 spect to such section, the Secretary of Defense may make  
3 contributions under such section using methods and as-  
4 sumptions developed by the Secretary.

At the end of title X (page 307, after line 20), insert  
the following new sections:

5 **SEC. \_\_\_\_ . AMENDMENTS RELATING TO COMMISSION ON**  
6 **THE FUTURE OF THE UNITED STATES AERO-**  
7 **SPACE INDUSTRY.**

8 (a) DEADLINE FOR REPORT.—Subsection (d)(1) of  
9 section 1092 of the Floyd D. Spence National Defense Au-  
10 thorization Act for Fiscal Year 2001 (as enacted into law  
11 by Public Law 106–398; 114 Stat. 1654A–302) is amend-  
12 ed by striking “March 1, 2002” and inserting “one year  
13 after the date of the first official meeting of the Commis-  
14 sion”.

15 (b) TERMINATION OF COMMISSION.—Subsection (g)  
16 of such section is amended by striking “30 days” and in-  
17 serting “60 days”.

18 **SEC. \_\_\_\_ . AUTHORITY TO ACCEPT MONETARY CONTRIBU-**  
19 **TIONS FOR REPAIR AND RECONSTRUCTION**  
20 **OF PENTAGON RESERVATION.**

21 Section 2674(e) of title 10, United States Code, is  
22 amended—



1 (1) by redesignating paragraph (2) as para-  
2 graph (3);

3 (2) by inserting after paragraph (1) the fol-  
4 lowing new paragraph:

5 “(2) The Secretary of Defense may accept monetary  
6 contributions made for the purpose of assisting to finance  
7 the repair and reconstruction of the Pentagon Reservation  
8 following the terrorist attack that occurred on September  
9 11, 2001. The Secretary shall deposit such contributions  
10 in the Fund.”; and

11 (3) in paragraph (3), as redesignated, by insert-  
12 ing at the end the following new sentence: “How-  
13 ever, contributions accepted under paragraph (2)  
14 shall be available for expenditure only for the pur-  
15 pose specified in such paragraph.”.

At the end of title XIV (page 348, after line 8), in-  
sert the following new section:

16 **SEC. 1408. RELATIONSHIP TO AUTHORITIES AND RESPON-**  
17 **SIBILITIES OF DIRECTOR OF CENTRAL IN-**  
18 **TELLIGENCE.**

19 Nothing in this title or the amendments made by this  
20 title shall modify, alter, or supersede the authorities and  
21 responsibilities of the Director of Central Intelligence.



Strike section 2863 (page 424, line 9, through page 426, line 6), and insert the following new section:

1 **SEC. 2863. MANAGEMENT OF THE PRESIDIO OF SAN FRAN-**  
2 **CISCO.**

3 (a) **AUTHORITY TO LEASE CERTAIN HOUSING UNITS**  
4 **FOR USE AS ARMY HOUSING.**—Title I of division I of the  
5 Omnibus Parks and Public Lands Management Act of  
6 1996 (Public Law 104–333; 16 U.S.C. 460bb note) is  
7 amended by adding at the end the following new section:

8 **“SEC. 107. CONDITIONAL AUTHORITY TO LEASE CERTAIN**  
9 **HOUSING UNITS WITHIN THE PRESIDIO.**

10 “(a) **AVAILABILITY OF HOUSING UNITS FOR LONG-**  
11 **TERM ARMY LEASE.**—Subject to subsection (c), the Trust  
12 shall make available for lease, to those persons designated  
13 by the Secretary of the Army and for such length of time  
14 as requested by the Secretary of the Army, 22 housing  
15 units located within the Presidio that are under the ad-  
16 ministrative jurisdiction of the Trust and specified in the  
17 agreement between the Trust and the Secretary of the  
18 Army in existence as of the date of the enactment of this  
19 section.

20 “(b) **LEASE AMOUNT.**—The monthly amount charged  
21 by the Trust for the lease of a housing unit under this  
22 section shall be equivalent to the monthly rate of the basic  
23 allowance for housing that the occupant of the housing



1 unit is entitled to receive under section 403 of title 37,  
2 United States Code.

3 “(c) CONDITION ON CONTINUED AVAILABILITY OF  
4 HOUSING UNITS.—Effective after the end of the four-year  
5 period beginning on the date of the enactment of this sec-  
6 tion, the Trust shall have no obligation to make housing  
7 units available under subsection (a) unless, during that  
8 four-year period, the Secretary of the Treasury purchases  
9 new obligations of at least \$80,000,000 issued by the  
10 Trust under section 104(d)(2). In the event that this con-  
11 dition is not satisfied, the existing agreement referred to  
12 in subsection (a) shall be renewed on the same terms and  
13 conditions for an additional two years.”.

14 (b) INCREASED BORROWING AUTHORITY AND TECH-  
15 NICAL CORRECTIONS.—Paragraphs (2) and (3) of section  
16 104(d) of title I of division I of the Omnibus Parks and  
17 Public Lands Management Act of 1996, as amended by  
18 section 334 of appendix C of Public Law 106–113 (113  
19 Stat. 1501A–199) and amended and redesignated by sec-  
20 tion 101(13) of Public Law 106–176 (114 Stat. 25), are  
21 amended—

22 (1) in paragraph (2), by striking “including a  
23 review of the creditworthiness of the loan and estab-  
24 lishment of a repayment schedule,” the second place  
25 it appears; and





- 1           (2) in paragraph (3)—  
2                   (A) by striking “\$50,000,000” and insert-  
3           ing “\$150,000,000”; and  
4                   (B) by striking “paragraph (3) of”.

At the end of subtitle A of title XXXI (page 461,  
after line 6), insert the following new section:

5 **SEC. \_\_\_\_ . INCREASED AMOUNT FOR NONPROLIFERATION**  
6 **AND VERIFICATION.**

7           (a) NATIONAL NUCLEAR SECURITY ADMINISTRA-  
8 TION.—The amounts provided in section 3101 for activi-  
9 ties of the National Nuclear Security Administration, and  
10 in paragraph (2) of that section for defense nuclear non-  
11 proliferation, are each hereby increased by \$10,000,000,  
12 for operation and maintenance for nonproliferation and  
13 verification research and development (and the amounts  
14 provided in subparagraph (A) of such paragraph (2) and  
15 in clause (i) of such subparagraph are each hereby in-  
16 creased by such amount).

17           (b) OFFSET.—The amount provided in section  
18 301(5) is hereby reduced by \$10,000,000, to be derived  
19 from amounts for consulting services.

Strike section 3304 (page 483, lines 9 through 16)  
and insert the following new section:



1 **SEC. 3304. EXPEDITED IMPLEMENTATION OF AUTHORITY**  
2 **TO DISPOSE OF COBALT FROM NATIONAL DE-**  
3 **FENSE STOCKPILE.**

4 (a) DISPOSAL AUTHORIZED DURING FISCAL YEAR  
5 2002.—Subsection (a)(1) of section 3305 of the National  
6 Defense Authorization Act for Fiscal Year 1998 (Public  
7 Law 105–85; 50 U.S.C. 98d note) is amended by striking  
8 “fiscal year 2003” and inserting “the two-fiscal year pe-  
9 riod ending September 30, 2003”.

10 (b) LIMITATIONS ON DISPOSAL AUTHORITY.—Sub-  
11 section (b)(1) of such section is amended by adding at the  
12 end the following new sentence: “The total quantity of co-  
13 balt disposed of under such subsection during fiscal year  
14 2002 may not exceed 700,000 pounds.”.

