Making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2002

Mr. BYRD, from the Committee on Appropriations, reported the following original bill, which was read twice and placed on the calendar

A BILL

Making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes

1 Be it enacted by the Senate and House of Representa-2 tives of the United States of America in Congress assembled,
3 That the following sums are appropriated, out of any 4 money in the Treasury not otherwise appropriated, for the 5 fiscal year ending September 30, 2002, and for other pur-6 poses, namely:
TITLE I—SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Office of the Secretary”, $18,000,000, to remain available until expended:

Provided, That the Secretary shall transfer these funds to the Agricultural Research Service, the Animal and Plant Health Inspection Service, the Agricultural Marketing Service, and/or the Food Safety and Inspection Service:

Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $16,000,000, to remain available until September 30, 2003: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities”, $50,000,000, to remain available until expended.
COOPERATIVE STATE RESEARCH, EDUCATION, AND
EXTENSION SERVICE

EXTENSION ACTIVITIES

For an additional amount for “Extension Activities”, $16,000,000, to remain available until September 30, 2003: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $60,000,000, to remain available until September 30, 2003: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FOOD SAFETY AND INSPECTION SERVICE

For an additional amount for “Food Safety and Inspection Service”, $15,000,000, to remain available until September 30, 2003: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for “Watershed and Flood Prevention Operations”, for emergency recovery operations, $100,000,000, to remain available until expended:

Provided, That of this amount, $27,000,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for “Rural Community Advancement Program” for emergency purposes for grants and loans as authorized by 7 U.S.C. 381E(d)(2), 306(a)(14), and 306C, $25,000,000, with up to $5,000,000 for contracting with qualified organization(s) to conduct vulnerability assessments for rural community water systems, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
Rural Utilities Service

Local Television Loan Guarantee Program Account

(including rescission)

Of funds made available under this heading for the cost of guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $20,000,000 are rescinded.

For an additional amount for “Local Television Loan Guarantee Program Account”, $20,000,000, to remain available until expended.

Food and Nutrition Service

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

For an additional amount for “Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)”, $75,000,000, to remain available until September 30, 2003: Provided, That of the amounts provided in this Act and any amounts available for reallocation in fiscal year 2002, the Secretary shall reallocate funds under section 17(g)(2) of the Child Nutrition Act of 1966, as amended, in the manner and under the formula the Secretary deems necessary to respond to the effects of unemployment and other conditions caused by the recession.
FOOD STAMP PROGRAM

(RESCISSION)

Of funds which may be reserved by the Secretary for allocation to State agencies under section 16(h)(1) of the Food Stamp Act of 1977 to carry out the Employment and Training program, $33,000,000 are rescinded and returned to the Treasury.

GENERAL PROVISION, THIS CHAPTER

SEC. 101. AGRICULTURAL ASSISTANCE TO PRODUCERS ALONG RIO GRANDE RIVER. (a) IN GENERAL.—
For an additional amount to provide assistance to agricultural producers in accordance with this section, there is appropriated, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended.

(b) USE.—The amount made available under subsection (a) shall be used by the Secretary of Agriculture to make a grant to the State of Texas, acting through the Texas Department of Agriculture, to provide assistance to agricultural producers in the State of Texas with farming or ranching operations along the Rio Grande River that have suffered economic losses during 1 or more of the 1992 through 2002 crop years due to the failure of Mexico to deliver water to the United States in accordance with the Treaty Relating to the Utilization of Waters of the Colorado and Tijuana River and of the Rio Grande,
and Supplementary Protocol signed November 14, 1944, 
signed at Washington on February 3, 1944 (59 Stat. 
1219; TS 944)

(c) AMOUNT.—The amount of assistance provided to 
individual agricultural producers under this section shall 
be proportional to the amount of actual losses described 
in subsection (b) that were incurred by the producers.

(d) EMERGENCY DESIGNATION.—The entire amount 
necessary to carry out this section is designated by Con-
gress as an emergency requirement pursuant to section 
251(b)(2)(A) of the Balanced Budget and Emergency 
Deficit Control Act of 1985, as amended.

CHAPTER 2

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Ex-
penses” to respond to the September 11, 2001, terrorist 
attacks on the United States, $12,750,000, to remain 
available until expended: Provided, That $10,750,000 is 
for the planning, development, and deployment of an inte-
grated fingerprint identification system, including auto-
mated capability to transmit fingerprint and image data 
for the design, and for the development, testing, and de-
ployment of a standards-based, integrated, interoperable
computer system for the Immigration and Naturalization Service ("Chimera system"), to be managed by Justice Management Division, as authorized by section 202 of H.R. 3525: Provided further, That $2,000,000 is for the Principal Associate Deputy Attorney General for Combating Terrorism: Provided further, That $10,750,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition, for the Office of Domestic Preparedness to respond to the September 11, 2001, terrorist attacks on the United States, $173,800,000, to remain available until expended, for grants, cooperative agreements, and other assistance authorized by sections 819 and 821 of the Antiterrorism and Effective Death Penalty Act of 1996 and sections 1014, 1015, and 1016 of the USA PATRIOT ACT (Public Law 107-56), and for other counterterrorism programs: Provided, That no funds under this heading shall be used to duplicate the Federal Emergency Management Agency Fire Grant program: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for “Salaries and Expenses” for courtroom technology, $5,200,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

(RESCission)

Of the amounts made available under this heading in Public Law 107–77, $7,000,000 are rescinded.

SALARIES AND EXPENSES, UNITED STATES MARSHALS

SERVICE

(RESCission)

Of the amounts made available under this heading for the Training Academy, $2,100,000 are rescinded.

ANTI-TERRORISM TASK FORCES

For expenses necessary for Anti-Terrorism Task Forces, including salaries and expenses, operations, equipment, and facilities, $45,000,000, to be derived from the amounts made available for this purpose in Public Law 107–77 and Public Law 107–117.

JOINT TERRORISM TASK FORCES

For expenses necessary for Joint Terrorism Task Forces, including salaries and expenses, operations, equip-
ment, and facilities, $113,235,000, to be derived from the 
amounts made available for this purpose in Public Law 

FOREIGN TERRORIST TRACKING TASK FORCES

For expenses necessary for Foreign Terrorist Tracking 
Task Forces, including salaries and expenses, oper-
ations, equipment, and facilities, $10,000,000, to be de-
rived from the amounts made available for this purpose 

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Ex-
penses” for emergency expenses resulting from the Sep-
tember 11, 2001, terrorist attacks, $75,500,000, of which 
$50,500,000 is for a cyber-security initiative: Provided, 
That the entire amount is designated by the Congress as 
an emergency requirement pursuant to section 
251(b)(2)(A) of the Balanced Budget and Emergency 
Deficit Control Act of 1985, as amended.

DRUG ENFORCEMENT ADMINISTRATION

VIOLENT CRIME REDUCTION PROGRAMS

(RESCISSION)

Of the amounts made available under this heading 
in prior fiscal years, $13,000,000 are rescinded.
Immigration and Naturalization Service

Salaries and Expenses

For an additional amount for “Salaries and Expenses” for fleet management, $35,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Construction

For an additional amount for “Construction” for emergency expenses resulting from the September 11, 2001, terrorist attacks, $84,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Federal Prison System

Buildings and Facilities

(Recession)

Of the amounts made available under this heading in Public Law 107–77 for buildings and facilities, $30,000,000 are rescinded.

Office of Justice Programs

Election Reform Grant Program

For an amount to establish the Election Reform Grant Program, to provide assistance to States and local-
ities in improving election technology and the administra-

12 tion of federal elections, $450,000,000, to remain available
13 until expended: Provided, That such amount shall not be
14 available for obligation until the enactment of legislation
15 that establishes programs for improving the administra-
16 tion of elections.

JUSTICE ASSISTANCE

(RESCISSION)

17 Of the amounts made available under this heading
18 for the Office of the Assistant Attorney General for Office
19 of Justice Programs, $2,000,000 are rescinded, and for
20 the Office of Congressional and Public Affairs, $2,000,000
21 are rescinded.

COMMUNITY ORIENTED POLICING SERVICES

22 For an amount to establish the Community Oriented
23 Policing Services’ Interoperable Communications Tech-
24 nology Program, for emergency expenses for activities re-
25 lated to combating terrorism by providing grants to States
26 and localities to improve communications within, and
27 among, law enforcement agencies, $85,000,000, to remain
28 available until expended: Provided, That the entire amount
29 is designated by the Congress as an emergency require-
30 ment pursuant to section 251(b)(2)(A) of the Balanced
31 Budget and Emergency Deficit Control Act of 1985, as
32 amended.
For an additional amount for “Operations and Administration” for emergency expenses resulting from new homeland security activities, $1,725,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for “Operations and Administration” for emergency expenses resulting from new homeland security activities, $8,700,000: Provided, That, of the funds appropriated under this heading, such sums as are necessary may be transferred to, and merged with, any appropriations account to develop and implement secure connectivity between Federal agencies and the Executive Office of the President: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the
Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

**BUREAU OF THE CENSUS**

**PERIODIC CENSUSES AND PROGRAMS**

(RESCISSION)

Of the amounts made available under this heading in prior fiscal years, excepting funds designated for the Suitland Federal Center, $20,900,000 are rescinded.

**NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY**

**SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES**

For an additional amount for “Scientific and Technical Research and Services” for emergency expenses resulting from new homeland security activities and increased security requirements, $84,600,000, of which $40,000,000 is for a cyber-security initiative: *Provided,* that the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

**NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

**OPERATIONS, RESEARCH, AND FACILITIES**

For an additional amount for “Operations, Research, and Facilities” for emergency expenses resulting from homeland security activities, $29,200,000, of which $23,400,000 is to address critical mapping and charting
backlog requirements, $3,000,000 is to enhance the Na-
tional Water Level Observation Network and $2,800,000 is for backup capability for National Oceanic and Atmos-
pheric Administration critical satellite products and serv-
ices, to remain available until September 30, 2003: Pro-
vided, That $2,800,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING RESCISSION)

For an additional amount for “Procurement, Acquisi-
tion and Construction” for emergency expenses resulting from homeland security activities, $7,200,000 for a super-
computer backup, to remain available until September 30, 2003: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emer-
gency Deficit Control Act of 1985, as amended.

Of the amounts made available under this heading for the National Polar-Orbiting Operational Environ-
mental Satellite System, $8,100,000 are rescinded.

FISHERIES FINANCE PROGRAM ACCOUNT

Funds provided under the heading, “Fisheries Fi-
nance Program Account”, National Oceanic and Atmos-
pheric Administration, Department of Commerce, for the
direct loan program authorized by the Merchant Marine
Act of 1936, as amended, are available to subsidize gross
obligations for the principal amount of direct loans not
to exceed $5,000,000 for Individual Fishing Quota loans,
and not to exceed $19,000,000 for Traditional loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For an additional amount for “Salaries and Ex-
penses” for emergency expenses resulting from new home-
land security activities, $400,000: Provided, That the en-
tire amount is designated by the Congress as an emer-
gency requirement pursuant to section 251(b)(2)(A) of the
Balanced Budget and Emergency Deficit Control Act of
1985, as amended.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

CARE OF THE BUILDING AND GROUNDS

For an additional amount for “Care of the Building
and Grounds” for emergency expenses for security up-
grades and renovations of the Supreme Court building,
$10,000,000: Provided, That the entire amount is des-
ignated by the Congress as an emergency requirement
pursuant to section 251(b)(2)(A) of the Balanced Budget
and Emergency Deficit Control Act of 1985, as amended.
COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
JUDICIAL SERVICES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for emergency expenses to enhance security and to provide for extraordinary trial related costs, $9,684,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs,” for emergency expenses for activities related to combating international terrorism, $38,300,000, of which $20,300,000 shall remain available until September 30, 2003: Provided, That funds appropriated by this paragraph shall be available notwithstanding section 15 of the State Department Basic Authorities Act of 1956, as amended: Provided further, That the entire amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for “Educational and Cul-
tural Exchange Programs”, for emergency expenses for
activities related to combating international terrorism,
$9,000,000: Provided, That funds appropriated by this
paragraph shall be available notwithstanding section 15
of the State Department Basic Authorities Act of 1956,
as amended: Provided further, That the entire amount is
designated by the Congress as an emergency requirement
pursuant to section 251(b)(2)(A) of the Balanced Budget
and Emergency Deficit Control Act of 1985, as amended.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for “Embassy Security,
Construction, and Maintenance”, for emergency expenses
for activities related to combating international terrorism,
$210,516,000, to remain available until expended: Pro-
vided, That $210,516,000 shall be available notwith-
standing section 15 of the State Department Basic Au-
thorities Act of 1956, as amended: Provided further, That
the entire amount is designated by the Congress as an
emergency requirement pursuant to section 251(b)(2)(A)
of the Balanced Budget and Emergency Deficit Control
Act of 1985, as amended.
CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for “Contributions to International Organizations”, for emergency expenses for activities related to combating international terrorism, $7,000,000, to remain available until September 30, 2003: Provided, That funds appropriated by this paragraph shall be available notwithstanding section 15 of the State Department Basic Authorities Act of 1956, as amended: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

Of the amounts made available under this heading, $35,000,000 are rescinded from prior year appropriations.

RELATED AGENCY

Broadcasting Board of Governors

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for “International Broadcasting Operations”, for emergency expenses for activities related to combating international terrorism, $7,400,000, to remain available until September 30, 2003: Provided, That funds appropriated by this paragraph shall be avail-
able notwithstanding section 15 of the State Department
Basic Authorities Act of 1956, as amended: Provided fur-
ther, That the entire amount is designated by the Congress
as an emergency requirement pursuant to section
251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended.

RELATED AGENCIES

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Ex-
penses” to respond to the September 11, 2001, terrorist
attacks on the United States and for other purposes,
$29,300,000, to remain available until expended: Pro-
vided, That $9,300,000 is designated by the Congress as
an emergency requirement pursuant to section
251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, THIS CHAPTER

Sec. 201. Title II of Public Law 107–77 is amended
in the second undesignated paragraph under the heading
“Department of Commerce, National Institute of Stand-
ards and Technology, Industrial Technology Services” by
striking “not to exceed $60,700,000 shall be available for
the award of new grants” and inserting “not less than
$60,700,000 shall be used before October 1, 2002 for the award of new grants”.

SEC. 202. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.

SEC. 203. (a) Section 504 of title 28, United States Code, is amended by inserting after “General” the following: “and a Principal Associate Deputy Attorney General for Combating Terrorism”.

(b) The Section heading for section 504 of title 28, United States Code, is amended by inserting after “General” the following: “and Principal Associate Deputy Attorney General for Combating Terrorism”.

(c) The Principal Associate Deputy Attorney General for Combating Terrorism (appointed under section 504 of title 28, United States Code, as amended by subsection (a)) shall—

(1) serve as the principal adviser to the Attorney General and the Deputy Attorney General for combating terrorism, counterterrorism, and antiterrorism policy;
(2) have responsibility for coordinating all functions within the Department of Justice relating to combating domestic terrorism, subject to paragraph (5), including—

(A) policies, plans, and oversight, as they relate to combating terrorism, counterterrorism, and antiterrorism activities;

(B) State and local preparedness for terrorist events;

(C) contingency operations within the Department of Justice; and

(D) critical infrastructure;

(3) coordinate—

(A) all inter-agency interface between the Department of Justice and other departments, agencies, and entities of the United States, including State and local organizations, engaged in combating terrorism, counterterrorism, and antiterrorism activities; and

(B) the implementation of the Department of Justice’s strategy for combating terrorism by State and local law enforcement with responsibilities for combating domestic terrorism;

(4) recommend changes in the organization and management of the Department of Justice and State
and local entities engaged in combating domestic terrorism to the Attorney General and Deputy Attorney General; and

(5) serve in an advisory capacity to the Attorney General and Deputy Attorney General on matters pertaining to the allocation of resources for combating terrorism.

(d) The allocation of resources for combating terrorism shall remain under the purview of the current Deputy Attorney General. Any changes in the allocation of resources will continue to be approved by the current Deputy Attorney General using the current procedures of the Department of Justice.

(e) Effective upon enactment of this Act, there is transferred to the Principal Associate Deputy Attorney General for Combating Terrorism all authorities, liabilities, funding, personnel, equipment, and real property employed or used by, or associated with, the Office of Domestic Preparedness, the National Domestic Preparedness Office, the Executive Office of National Security, and such appropriate components of the Office of Intelligence Policy and Review and the National Institute of Justice as relate to combating terrorism, counterterrorism, and antiterrorism activities.
Sec. 204. Public Law 106–256 is amended in section 3(f)(1) by striking “18” and inserting “29”.

Sec. 205. The American Section, International Joint Commission, United States and Canada, is authorized to receive funds from the United States Army Corps of Engineers for the purposes of conducting investigations, undertaking studies, and preparing reports in connection with a reference to the International Joint Commission on the Devils Lake project mentioned in Public Law 106–377.

Sec. 206. Section 282(a)(2)(D) of the Agricultural Marketing Act of 1946 is amended to read as follows:

“(D) in the case of wild fish, is—

“(i) harvested in the United States, a territory of the United States, or a State, or by a vessel that is documented under chapter 121 of title 46, United States Code, or registered in the United States; and

“(ii) processed in the United States, a territory of the United States, or a State, including the waters thereof, or aboard a vessel that is documented under chapter 121 of title 46, United States Code, or registered in the United States; and’’.”
Sec. 207. Of the amounts appropriated in Public Law 107–77, under the heading “Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities”, for coral reef programs, $2,500,000, for a cooperative agreement with the National Defense Center of Excellence for Research in Ocean Sciences to conduct coral mapping in the waters of the Hawaiian Islands and the surrounding Exclusive Economic Zone in accordance with the mapping implementation strategy of the United States Coral Reef Task Force.

Sec. 208. In addition to amounts appropriated or otherwise made available by this Act or any other Act, $11,000,000 is appropriated to enable the Secretary of Commerce to provide economic assistance to fishermen and fishing communities affected by Federal closures and fishing restrictions in the New England groundfish fishery, to remain available until September 30, 2003.

Sec. 209. In addition to amounts appropriated or otherwise made available by this Act or any other Act, $5,000,000 shall be provided to enable the Secretary of Commerce to provide for direct economic assistance to fishermen and fishing communities, affected by Federal Court ordered management measures in the Northeast multispecies fishery, to remain available until September
30, 2003: Provided, That these amounts shall be used to support port security and related coastal activities administered by the National Oceanic and Atmospheric Administration, the Coast Guard, or an affected state.

CHAPTER 3

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, $206,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

DEFENSE EMERGENCY RESPONSE FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Defense Emergency Response Fund”, $11,300,000,000, of which $77,900,000 shall be available for enhancements to North American Air Defense Command capabilities: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further,
That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; military construction; the Defense Health Program; and working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

Operation and Maintenance, Army

For an additional amount for “Operation and Maintenance, Army”, $107,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Operation and Maintenance, Navy

For an additional amount for “Operation and Maintenance, Navy”, $36,500,000: Provided, That the entire...
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended.

**Operation and Maintenance, Air Force**

For an additional amount for "Operation and Main-
tenance, Air Force", $41,000,000: Provided, That the en-
tire amount is designated by the Congress as an emer-
gency requirement pursuant to section 251(b)(2)(A) of the
Balanced Budget and Emergency Deficit Control Act of
1985, as amended.

**Operation and Maintenance, Defense-wide**

(including transfer of funds)

For an additional amount for "Operation and Main-
tenance, Defense-wide", $739,000,000, of which
$420,000,000 may be used for payments to Pakistan, Jor-
dan, the Philippines, and other key cooperating nations
for logistical and military support provided to United
States military operations in connection with United
States efforts to prevent or respond to acts of inter-
national terrorism: Provided, That such amount shall be
transferred to, and merged with, funds appropriated in
Public Law 107–115 under the heading "Foreign Military
Financing Program" within 30 days of enactment: Pro-
vided further, That such payments may be made in such
amounts as the Secretary of State determines, after consultation with the Secretary of Defense and the Director of the Office of Management and Budget: Provided further, That such determination shall be final and conclusive upon the accounting officers of the United States: Provided further, That of the funds appropriated by this paragraph, not less than $50,000,000 shall be made available for the Philippines: Provided further, That amounts for such payments shall be in addition to any other funds that may be available for such purpose: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That funds made available by this paragraph shall be subject to the regular notification procedures of the Committees on Appropriations.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, $79,200,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", $22,800,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", $262,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", $2,500,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", $3,500,000: Provided, That the entire amount is designated by the Congress as an emergency requirement
pursuant to section 251(b)(2)(A) of the Balanced Budget
and Emergency Deficit Control Act of 1985, as amended.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement,
Air Force”, $93,000,000: Provided, That the entire
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Am-
munition, Air Force”, $115,000,000: Provided, That the
entire amount is designated by the Congress as an emer-
gency requirement pursuant to section 251(b)(2)(A) of the
Balanced Budget and Emergency Deficit Control Act of
1985, as amended.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement,
Air Force”, $752,300,000: Provided, That the entire
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended.
PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-wide”, $99,500,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, $8,200,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, $19,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, $60,800,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-wide”, $74,700,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, THIS CHAPTER

Sec. 301. (a) The appropriation under the heading “Research, Development, Test and Evaluation, Navy” in the Department of Defense Appropriations Act, 2002 (Public Law 107–117) is amended by adding the following proviso immediately after “September 30, 2003”: “: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique requirements of the Special Operations Forces”.

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(b) The amendment made by subsection (a) shall be effective as if enacted as part of the Department of Defense Appropriations Act, 2002.

SEC. 302. (a) AVAILABILITY OF AMOUNTS FOR MILITARY CONSTRUCTION RELATING TO TERRORISM.—Amounts made available to the Department of Defense from funds appropriated in this Act may be used to carry out military construction projects, not otherwise authorized by law, that the Secretary of Defense determines are necessary to respond to or protect against acts or threatened acts of terrorism.

(b) NOTICE TO CONGRESS.—Not later than 15 days before obligating amounts available under subsection (a) for military construction projects referred to in that subsection, the Secretary shall notify the appropriate committees of Congress of the following:

(1) the determination to use such amounts for the project; and

(2) the estimated cost of the project and the accompanying Form 1391.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section the term “appropriate committees of Congress” has the meaning given that term in section 2801(4) of title 10, United States Code.
SEC. 303. Section 8052(b) of the Department of Defense Appropriations Act, 2002 (Public Law 107–117) is amended by striking out “will reduce the personnel requirements or financial requirements of the department”, and inserting the following in lieu thereof, “either (1) will reduce the personnel requirements or the financial requirements of the department, or (2) is necessary in response to an emergency, including responding to direct threats or incidents of terrorism”.

SEC. 304. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414): Provided, That any funds appropriated or transferred to the Central Intelligence Agency for agent operations or covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2003.

SEC. 305. (a) Funds appropriated to the Department of Defense for fiscal year 2002 for operation and maintenance under the heading “Chemical Agents and Munitions Destruction, Army”, may be used to pay for additional costs of international inspectors from the Technical Secretariat of the Organization for the Prohibition of Chemical
Weapons, pursuant to Articles IV and V of the Chemical Weapons Convention, for inspections and monitoring of Department of Defense sites and commercial sites that perform services under contract to the Department of Defense, resulting from the Department of Defense’s program to accelerate its chemical demilitarization schedule.

(b) Expenses which may be paid under subsection (a) include—

1. salary costs for performance of inspection and monitoring duties;
2. travel, including travel to and from the point of entry into the United States and internal United States travel;
3. per diem, not to exceed United Nations rates and in compliance with United Nations conditions for per diem for that organization; and
4. expenses for operation and maintenance of inspection and monitoring equipment.

Sec. 306. During the current fiscal year, the restrictions contained in subsection (d) of 22 U.S.C. 5952 and section 502 of the Freedom Support Act (Public Law 102–511) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such
restrictions is important to the national security interests
of the United States.

CHAPTER 4

DISTRICT OF COLUMBIA

FEDERAL FUNDS

Federal Payment to the Children’s National
Medical Center

For a Federal payment to the Children’s National
Medical Center in the District of Columbia for imple-
menting the District Emergency Operations Plan,
$13,770,000, to remain available until September 30,
2003, of which $11,700,000 is for the expansion of quar-
antine facilities, and $2,070,000 is for the establishment
of a decontamination facility for children and families:
Provided, That the entire amount is designated by the
Congress as an emergency requirement pursuant to sec-
tion 251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended.

Federal Payment to the District of Columbia

For a Federal payment to the District of Columbia
to implement the District Emergency Operations Plan,
$24,730,000, to remain available until December 1, 2003,
of which $14,730,000 is for public safety expenses related
to national special security events in the District of Co-
lumbia and $10,000,000 is for the construction of Con-
tainment Facilities to support the regional Bioterrorism Hospital Preparedness Program: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Federal Payment to the Washington Metropolitan Area Transit Authority

For a Federal payment to the Washington Metropolitan Area Transit Authority, $25,000,000, to remain available until December 1, 2003, to contribute to the creation of a regional transportation back-up operations control center: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Federal Payment to the Metropolitan Washington Council of Governments

For a Federal payment to the Metropolitan Washington Council of Governments, $1,750,000, to remain available until September 30, 2003, for support of the Regional Incident Communication and Coordination System, as approved by the Council: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Bal-
Federal Payment to the Water and Sewer Authority of the District of Columbia

For a Federal payment to the Water and Sewer Authority of the District of Columbia for emergency preparedness, $3,000,000, to remain available until September 30, 2003, of which $250,000 shall be for securing fire hydrants and manholes to prevent unauthorized entry, $150,000 is to upgrade the hydraulic model, $1,800,000 is for remote monitoring of water quality, $700,000 is for design and construction of ventilation system improvements, and $100,000 is to create an Incident Response Plan: Provided, That the Water and Sewer Authority of the District of Columbia may reprogram up to $120,000 between the activities specified under this heading if it notifies in writing the Committees on Appropriations of the House of Representatives and the Senate thirty days in advance of the reprogramming: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

PUBLIC EDUCATION SYSTEM

(RESCISSION)

Notwithstanding any other provision of law, of the local funds appropriated under this heading for public charter schools for the fiscal year ending September 30, 2002 in the District of Columbia Appropriations Act, 2002, approved December 21, 2001 (Public Law 107–96), $37,000,000 are rescinded.

HUMAN SUPPORT SERVICES

For an additional amount for “Human Support Services”, $37,000,000 from local funds: Provided, That $11,000,000 shall be for the Child and Family Services Agency to address increased adoption case rates, higher case loads for adoption and emergency group home utilization: Provided further, That $26,000,000 shall be for the Department of Mental Health to address a Medicaid revenue shortfall.

PUBLIC SAFETY AND JUSTICE

(RESCISSION)

Notwithstanding any other provision of law, of the local funds appropriated under this heading to the Department of Corrections for support of the Corrections Infor-
For operations of the Corrections Information Council, $100,000 from local funds.

**Governmental Direction and Support**

The Governmental Direction and Support paragraph of the District of Columbia Appropriations Act, 2002 (Public Law 107–96), is amended by striking: “Provided further, That not less than $353,000 shall be available to the Office of the Corporation Counsel to support increases in the Attorney Retention Allowance:” and inserting: “Provided further, That not less than $353,000 shall be available to the Office of the Corporation Counsel to support attorney compensation consistent with performance measures contained in a negotiated collective bargaining agreement:”.

**Repayment of Loans and Interest**

(RESCISSION)

Of the funds appropriated under this heading for the fiscal year ending September 30, 2002 in the District of Columbia Appropriations Act, 2002, approved December 21, 2001 (Public Law 107–96), $7,950,000 are rescinded. The paragraph under this heading is amended by striking: “Provided, That any funds set aside pursuant to
section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106–113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds;” and inserting: “Provided, That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106–113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds upon certification by the Chief Financial Officer of the District of Columbia that the funds are available and are not required to address potential deficits: Provided further, That of those funds necessary to address potential deficits, no funds shall be obligated or expended except in accordance with the following conditions:

“(1) the amounts shall be obligated or expended in accordance with laws enacted by the Council in support of each such obligation or expenditure;

“(2) the amounts may not be used to fund the agencies of the District of Columbia government under court-ordered receivership;

“(3) the amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Sen-
ate in writing 30 days in advance of any obligation or expenditure; and

“(4) amounts made available to address potential deficits shall remain available until expended.”.

CERTIFICATES OF PARTICIPATION

For principal and interest payments on the District’s Certificates of Participation, issued to finance the facility underlying the building located at One Judiciary Square, $7,950,000 from local funds.

GENERAL PROVISIONS, THIS CHAPTER

Sec. 401. The District of Columbia may use up to 1 percent of the funds appropriated to the District of Columbia under the Emergency Supplemental Act, 2002, to fund the necessary administrative costs to carry out that Act, effective January 10, 2002.

Sec. 402. When the Mayor determines that it is in the best interest of the District, the Mayor may procure insurance for property damage and tort liability. In addition, when the Chief Financial Officer determines that it is in the best interest of the District, the Chief Financial Officer may procure insurance subject to his independent procurement authority or otherwise recommend the procurement of insurance for financial losses resulting from misfeasance or malfeasance.
SEC. 403. CRIME VICTIMS COMPENSATION FUND. Section 16(d)(2) of the Victims of Violent Crime Compensation Act of 1996 (D.C. Official Code 4–515(d)(1)), as amended by the Fiscal Year 2002 District of Columbia Appropriations Act, Public Law 107–96, is amended to read as follows:

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

SEC. 404. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY REPROGRAMMING. The Chief Financial Officer of the Washington Metropolitan Area Transit Authority may use up to $2,400,000 from funds appropriated under Public Law 107–117 under the account, “Federal Payment to the Washington Metropolitan Area Transit Authority”, that contains funds for protective clothing and breathing apparatus activities, for employee and facility security and completion of the fiber optic network project.

SEC. 405. TRANSFER AUTHORITY FOR THE DISTRICT OF COLUMBIA COURTS. The District of Columbia Courts may expend up to $12,500,000 to carry out the
District of Columbia Family Court Act of 2001 from the
“Federal Payment to the District of Columbia Courts” ac-
count: Provided, That such funds may be transferred to
the “Federal Payment to the District of Columbia Courts”
account from the “Federal Payment for Family Court
Act” account in reimbursement for such obligations and
expenditures as are necessary to implement the District
of Columbia Family Court Act of 2001 for the period from
October 1, 2001 to September 30, 2002, once funds in
the “Federal Payment for Family Court Act” account be-
come available.

SEC. 406. TECHNICAL CORRECTION TO THE DIS-
TRICT OF COLUMBIA FAMILY COURT ACT OF 2001. Sec-
tion 11–908A(b)(4) of the District of Columbia Code (as
added by Public Law 107–114) is amended by striking
“section 11–1501(b)” and inserting “section 433 of the
District of Columbia Home Rule Act”.

SEC. 407. TECHNICAL CORRECTION TO THE FISCAL
YEAR 2002 DISTRICT OF COLUMBIA APPROPRIATIONS
ACT. (a) Under the heading, “Federal Payment to the
Thurgood Marshall Academy Charter School” provided
under Public Law 107–96, strike “Anacostia” and insert
“Southeast, Washington, D.C.”.

(b) Under the heading, “Federal Payment to South-
eastern University” provided under Public Law 107–96,
strike everything after “a public/private partnership” and
insert in lieu thereof, “to plan a two year associate degree
program.”.

SEC. 408. TECHNICAL CORRECTION TO THE FISCAL
YEAR 2002 DISTRICT OF COLUMBIA APPROPRIATIONS
ACT. Section 119 of Public Law 107–96 is amended to
read as follows:

“Sec. 119. Acceptance and Use of Grants Not
Included in Ceiling. (a) In General.—Notwith-
standing any other provision of this Act, the Mayor, in
consultation with the Chief Financial Officer, may accept,
obligate, and expend Federal, private, and other grants
received by the District government that are not reflected
in the amounts appropriated in this Act.

“(b) Requirement of Chief Financial Officer
Report and Council Approval.—No such Federal,
private, or other grant may be accepted, obligated, or ex-
pended pursuant to subsection (a) until—

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

“(2) the Council has reviewed and approved the
acceptance, obligation, and expenditure of such
grant. Within 14 calendar days of receipt of the re-
port submitted under paragraph (1) the Council
shall be deemed to have provided such approval if no
written notice of disapproval is filed with the Sec-
retary to the Council within 14 calendar days of the
receipt of the report from the Chief Financial Offi-
cer, and no oral notice of disapproval is given during
a meeting of the Council during such 14 calendar
day period. If notice of disapproval is given during
such initial 14 calendar day period, the Council may
approve or disapprove the acceptance, obligation or
expenditure of the grant by resolution within 30 cal-
endar days of the initial receipt of the report from
the Chief Financial Officer, or such certification
shall be deemed to be approved.

“(c) Prohibition on Spending in Anticipation
of Approval or Receipt.—No amount may be obli-
gated or expended from the general fund or other funds
of the District government in anticipation of the approval
or receipt of a grant under subsection (a) or in anticipa-
tion of the approval or receipt of a Federal, private, or
other grant not subject to these provisions.

“(d) Quarterly Reports.—The Chief Financial
Officer of the District of Columbia shall prepare a quar-
terly report setting forth detailed information regarding
all Federal, private, and other grants subject to these pro-
visions. Each such report shall be submitted to the Council
of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.”.

Sec. 409. The authority which the Chief Financial Officer of the District of Columbia exercised with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period (as defined in Public Law 104–8) shall remain in effect through July 1, 2003 or until such time as the District of Columbia Fiscal Integrity Act becomes effective, whichever occurs sooner.

CHAPTER 5
DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for “Operation and Maintenance, General”, $10,000,000, to remain available until expended: Provided, That using the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers is directed to repair, restore, and clean-up Corps’ projects and facilities and dredge navigation channels, restore and clean out area streams, provide emergency streambank protection, restore other crucial
public infrastructure (including sewer and water facilities), document flood impacts and undertake other flood recovery efforts deemed necessary and advisable by the Chief of Engineers due to the May 2002 flooding in Southern West Virginia, Eastern Kentucky and Southwestern Virginia.

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee”, $6,500,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–117, Corps of Engineers—Civil, Operations and Maintenance, General: Provided, That $6,500,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For an additional amount for “Weapons Activities” for emergency expenses resulting from the September 11, 2001, terrorist attacks, $181,650,000: Provided, That the
entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for “Defense Nuclear Nonproliferation” for emergency activities necessary to support the safeguarding of nuclear material internationally, $100,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OFFICE OF THE ADMINISTRATOR

For an additional amount for “Office of the Administrator” for emergency expenses resulting from the September 11, 2001, terrorist attacks, $1,750,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for “Defense Environmental Restoration and Waste Management” for emer-
gency expenses resulting from the September 11, 2001, terrorist attacks, $40,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Other Defense Activities

For an additional amount for “Other Defense Activities” for emergency expenses necessary to support energy security and assurance activities, $7,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, THIS CHAPTER

(RESCISSION)


(b) Within 30 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations
of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

Sec. 502. The amounts invested by the non-Federal interests in the biomass project at Winona, Mississippi, before the date of enactment of this Act shall constitute full satisfaction of the cost-sharing requirement under section 3002 of the Energy Policy Act of 1992 (42 U.S.C. 13542).

Sec. 503. Section 1 of Public Law 105–204 (112 Stat. 681) is amended—

(1) in subsection (b), by striking “until the date” and all that follows and inserting “until the date that is 30 days after the date on which the Secretary of Energy awards a contract under subsection (c), and no such amounts shall be available for any purpose except to implement the contract.”; and

(2) by striking subsection (c) and inserting the following:

“(c) Contracting and Construction Requirements.—

“(1) In general.—Not later than 30 days after the date of enactment of this paragraph, subject to the availability of appropriations made to the Department of Energy under the heading, “URA-
NIUM FACILITIES MAINTENANCE AND REMEDI-

ation”, the Secretary of Energy shall—

“(A) select for award of a contract the best
value proposal of the proposals received before
January 15, 2002, to Request for Proposals
No. DE–RP05–010R22717, “Acquisition of
Facilities and Services for Depleted Uranium
Hexafluoride (DUF₆) Conversion Project”; and

“(B) award the offeror under that proposal
a contract, subject to the availability of appro-
priations, for the scope of work stated in the re-
quest for proposals, including the design, con-
struction, and operation of—

“(i) a facility described in subsection
(a) on the site of the gaseous diffusion
plant at Padueah, Kentucky; and

“(ii) a facility described in subsection
(a) on the site of the gaseous diffusion
plant at Portsmouth, Ohio.

“(2) CONTRACT TERMS.—The contract under
paragraph (1) shall—

“(A) require that groundbreaking for con-
struction occur not later than January 31,
2004, and that construction proceed expedi-
tiously thereafter;
“(B) include as an item of performance the transportation, conversion, and disposition of depleted uranium contained in cylinders located at the Oak Ridge K–25 uranium enrichment facility located in the East Tennessee Technology Park at Oak Ridge, Tennessee, consistent with environmental agreements between the State of Tennessee and the Secretary of Energy; and

“(C) specify that the contractor shall not proceed to perform any part of the contract unless sufficient funds have been appropriated, in advance, specifically to pay for that part of the contract.

“(3) CERTIFICATION OF GROUNDBREAKING.—Not later than 5 days after the date of groundbreaking for each facility, the Secretary of Energy shall submit to Congress a certification that groundbreaking has occurred.

“(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds that are available to carry out this section, there are authorized to be appropriated such sums as are necessary to carry out this section.”.

SEC. 504. In addition to amounts previously appropriated, $3,000,000 is hereby appropriated for the Department of the Interior, Bureau of Reclamation, for
“Water and Related Resources” for the drilling of emergency wells in Santa Fe, New Mexico and shall remain available until expended.

CHAPTER 6

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for “Child Survival and Health Programs Fund” for activities related to the prevention, care and treatment, and control of, and research on, HIV/AIDS, tuberculosis, and malaria, $100,000,000, to remain available until March 31, 2003, which may be made available as a United States contribution to the Global Fund to Combat AIDS, Tuberculosis, and Malaria:

Provided, That funds appropriated by this paragraph shall be subject to the regular notification procedures of the Committees on Appropriations.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for “International Disaster Assistance”, $150,000,000, to remain available until March 31, 2003: Provided, That funds appropriated by this paragraph shall be made available for emergency expenses for Afghanistan for humanitarian and reconstruction activities related to preventing or responding to inter-
national terrorism, including repairing homes of Afghan
citizens that were damaged as a result of military oper-
atations against al Qaeda and the Taliban: Provided further,
That of the funds appropriated by this paragraph that are
available for Afghanistan, up to $2,500,000 may be made
available, in addition to amounts otherwise available for
such purposes, for administrative expenses of the United
States Agency for International Development in support
of the provision of such assistance: Provided further, That
of the funds appropriated by this paragraph, $50,000,000
shall be made available for humanitarian, refugee and re-
construction assistance for the West Bank and Gaza: Pro-
vided further, That none of the funds provided in the pre-
ceding proviso shall be available for assistance for the Pal-
estinian Authority: Provided further, That the entire
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended: Provided further, That funds appropriated by
this paragraph shall be subject to the regular notification
procedures of the Committees on Appropriations.

OPERATING EXPENSES OF THE UNITED STATES AGENCY
FOR INTERNATIONAL DEVELOPMENT

For an additional amount for “Operating Expenses
of the United States Agency for International Develop-
ment” for emergency expenses for activities related to pre-
venting or responding to international terrorism,
$5,000,000, to remain available until March 31, 2003: 
Provided, That the entire amount is designated by the 
Congress as an emergency requirement pursuant to sec-
tion 251(b)(2)(A) of the Balanced Budget and Emergency 
Deficit Control Act of 1985, as amended.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for “Economic Support 
Fund” for emergency expenses for activities related to pre-
venting or responding to international terrorism, 
$700,000,000, to remain available until March 31, 2003: 
Provided, That of the funds appropriated by this para-
graph, not less than $3,500,000 shall be made available 
to support programs and activities that provide profes-
sional training for journalists from Egypt and other coun-
tries in the Middle East: Provided further, That of the 
funds appropriated by this paragraph that are made avail-
able for assistance for Pakistan, not less than $3,500,000 
shall be made available for programs and activities which 
support the development of independent media in Paki-
stan: Provided further, That of the funds appropriated by 
this paragraph, $50,000,000 should be made available for 
the Middle East Economic Initiative: Provided further, 
That of the funds appropriated by this paragraph, not less
than $15,000,000 shall be made available for the establish-
ment and administration of an international exchange
visitor program for secondary school students from coun-
tries with significant Muslim populations: Provided fur-
ther, That funds made available pursuant to the previous
proviso shall not be available for any country that is eligi-
ble for assistance under the FREEDOM Support Act:
Provided further, That of the funds appropriated by this
paragraph, $200,000,000 shall be made available for as-
sistance for Israel: Provided further, That the entire
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended: Provided further, That funds appropriated
under this heading, and funds appropriated under this
heading in prior Acts that are made available for the pur-
poses of this paragraph, may be made available notwith-
standing section 512 of Public Law 107–115 or any simi-
lar provision of law: Provided further, That funds appro-
priated by this paragraph shall be subject to the regular
notification procedures of the Committees on Appropria-
tions.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE
FORMER SOVIET UNION

For an additional amount for “Assistance for the
Independent States of the Former Soviet Union” for
emergency expenses for activities related to preventing or responding to international terrorism, $110,000,000, to remain available until March 31, 2003: Provided, That funds appropriated by this paragraph shall be made available for assistance only for Uzbekistan, the Kyrgyz Republic, Tajikistan, Kazakhstan, and Turkmenistan: Provided further, That of the funds appropriated by this paragraph, not less than $7,000,000 shall be made available for the development of democratic institutions and the protection of human rights, which amount shall be administered by the Bureau of Democracy, Human Rights and Labor, Department of State: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That funds appropriated by this paragraph shall be subject to the regular notification procedures of the Committees on Appropriations.

DEPARTMENT OF STATE
INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for “International Narcotics Control and Law Enforcement” for emergency expenses for activities related to preventing or responding to international terrorism, $104,000,000, to remain avail-
able until March 31, 2003: *Provided,* That of the funds appropriated by this paragraph, not less than $2,500,000 shall be made available for the Colombian National Park Service for training and equipment for park rangers: *Provided further,* That of the funds appropriated by this paragraph, not to exceed $4,000,000 shall be made available for law enforcement training for Indonesian police forces: *Provided further,* That funds appropriated by this paragraph shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

**MIGRATION AND REFUGEE ASSISTANCE**

For an additional amount for “Migration and Refugee Assistance” for emergency expenses for activities related to preventing and responding to international terrorism, $50,000,000, to remain available until March 31, 2003: *Provided,* That funds appropriated by this paragraph shall be subject to the regular notification procedures of the Committees on Appropriations.

**NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS**

For an additional amount for “Nonproliferation, Anti-Terrorism, Demining and Related Programs” for
emergency expenses for activities related to preventing or responding to international terrorism, $93,000,000, to remain available until March 31, 2003: Provided, That of the funds appropriated by this paragraph, not less than $10,000,000 shall be made available for humanitarian demining activities: Provided further, That of the funds appropriated by this paragraph, not to exceed $12,000,000 shall be made available for assistance for Indonesia: Provided further, That funds appropriated by this paragraph that are made available for assistance for Indonesia may be used only to train and equip an Indonesian police unit to prevent or respond to international terrorism, and none of the funds appropriated by this chapter may be used to provide assistance for members of “Brimob” Mobile Police Brigade units: Provided further, That of the funds appropriated by this paragraph, $2,000,000 shall be made available for small arms and light weapons destruction in Afghanistan: Provided further, That of the funds appropriated by this paragraph, $1,000,000 shall be made available for the Nonproliferation and Disarmament Fund: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That funds appro-
appropriated by this paragraph shall be subject to the regular
notification procedures of the Committees on Appropriations.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program” for emergency expenses for activities related to preventing or responding to international terrorism, $347,500,000, to remain available until March 31, 2003: Provided, That funds appropriated by this paragraph may be made available for assistance only for Afghanistan, Pakistan, Nepal, Jordan, Bahrain, Oman, Yemen, Uzbekistan, the Kyrgyz Republic, Tajikistan, Kazakhstan, Turkey, Georgia, the Philippines, Colombia, Djibouti, Ethiopia, Kenya, and Ecuador: Provided further, That funds appropriated by this paragraph should be made available to establish, train, and equip a Colombian Army brigade dedicated to providing security to civilian prosecutors in operations to collect evidence and execute arrest warrants against leaders of paramilitary organizations: Provided further, That of the funds appropriated by this paragraph, not to exceed $3,500,000 may be made available for assistance for the Colombian Armed Forces for purposes of protecting the Cano Limon pipeline: Pro-
vided further, That prior to the obligation of funds under
the previous proviso, the Secretary of State shall deter-
mine and report to the Committee on Appropriations that
(i) of the Government of Colombia’s oil revenues from the
Cano Limon pipeline, an appropriate percentage will be
made available for primary health care, basic education,
microenterprise, and other programs and activities to im-
prove the lives of the people of Arauca department and
that a transparent mechanism exists to effectively monitor
such funds, and (ii) Occidental Petroleum and Repsol have
each agreed in writing to refund to the United States Gov-
ernment an amount, based upon each company’s own-
ship share of the pipeline, equal to the percentage that
each such share represents of the amount of funds made
available by this Act or subsequent Acts to the Colombian
Armed Forces for purposes of protecting the Cano Limon
pipeline: Provided further, That the amounts refunded
pursuant to an agreement entered into pursuant to the
previous proviso may be made available for any of the pur-
poses under the heading “Andean Counterdrug Initiative”
without further appropriation by Congress: Provided fur-
ther, That funds made available by this Act for assistance
for Uzbekistan may be made available if the Secretary of
State determines and reports to the Committees on Approp-
riations that Uzbekistan is making substantial and con-
continuing progress in meeting its commitments under the
“Declaration on the Strategic Partnership and Cooper-
ation Framework Between the Republic of Uzbekistan and
the United States of America”: Provided further, That the
total amount is designated by the Congress as an emer-
gency requirement pursuant to section 251(b)(2)(A) of the
Balanced Budget and Emergency Deficit Control Act of
1985, as amended: Provided further, That funds appro-
priated by this paragraph that are made available for Af-
ghanistan may be made available notwithstanding section
512 of Public Law 107–115 or any similar provision of
law: Provided further, That funds appropriated by this
paragraph shall be subject to the regular notification pro-
cedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For an additional amount for “Peacekeeping Oper-
ations” for emergency expenses for activities related to
preventing or responding to international terrorism,
$20,000,000, to remain available until March 31, 2003:
Provided, That the entire amount is designated by the
Congress as an emergency requirement pursuant to sec-
tion 251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended: Provided further,
That funds appropriated by this paragraph shall be avail-
able only for Afghanistan, and may be made available not-
withstanding section 512 of Public Law 107–115 or any
similar provision of law: Provided further, That funds appropriated by this paragraph shall be subject to the regular notification procedures of the Committees on Appropriations.

MULTILATERAL ECONOMIC ASSISTANCE
Funds Appropriated to the President
INTERNATIONAL FINANCIAL INSTITUTIONS (RESCISSION)

The unobligated balances of funds provided in Public Law 92–301 and Public Law 93–142 for maintenance of value payments to international financial institutions are rescinded.

GENERAL PROVISIONS, THIS CHAPTER

Sec. 601. International Organizations and Programs. Section 576 of Public Law 107–115 is amended—

(1) in subsection (a) by striking “not more than”; and

(2) by adding the following new subsection:

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

Sec. 602. Eligibility Conditions. (a) Prior to providing assistance to a government with funds appropriated by this chapter, the Secretary of State shall take
into account whether such government has established, or
is making substantial progress in establishing—

(1) the rule of law, political pluralism including
the establishment of political parties, respect for
fundamental human rights including freedoms of ex-
pression, religion and association, and the rights to
due process, a fair trial, and equal protection under
the law;

(2) democratic institutions, independent media,
credible electoral processes, and conditions for the
development of an active civil society;

(3) a market-based economy, and economic poli-
cies to reduce poverty and increase the availability of
health care and educational opportunities; and

(4) effective mechanisms to combat corruption
and bribery, such as signing and implementing the
Convention on Combating Bribery of Foreign Public
Officials in International Business Transactions.

(b) Nothing in this section shall apply to funds appro-
priated under this chapter for assistance for Afghanistan
or under the heading “International Disaster Assistance”.

SEC. 603. COLOMBIA. (a) COUNTER-TERRORISM AU-
THORITY.—In fiscal year 2002, funds available to the De-
partment of State under the heading “Andean
Counterdrug Initiative” in Public Law 107–115 for assist-
ance for the Colombian Armed Forces and the Colombian
National Police, funds appropriated by this Act that are
made available for such assistance, and unexpired bal-
ances and assistance previously provided from prior Acts
making appropriations for foreign operations, export fi-
nancing, and related programs for such assistance, shall
be available to support the Colombian Government’s uni-
\[...
(b) In order to ensure the effectiveness of United
States support for such unified campaign, prior to the ex-
ercise of the authority contained in subsection (a) to pro-
vide counter-terrorism assistance, the Secretary of State
shall certify to the appropriate congressional committees
that—

(1) the newly inaugurated President of Colom-
bia has—

(A) established comprehensive policies to
combat illicit drug cultivation, manufacturing,
and trafficking (particularly with respect to
providing economic opportunities that offer via-
ble alternatives to illicit crops) and to restore
government authority and respect for human
rights in areas under the effective control of
paramilitary and guerrilla organizations;

(B) committed, in writing, to implement
significant budgetary and personnel reforms of
the Colombian Armed Forces; and

(C) dedicated substantial additional Colomb-
bian financial and other resources to implement
such policies and reforms, particularly to meet
the country’s previous commitments under
“Plan Colombia”; and

(2) no United States Armed Forces personnel
or civilian contractor employed by the United States
will participate in any combat operation in connec-
tion with assistance made available under this Act or
any other Act.

(c) REPORT.—The authority provided in subsection
(a) shall cease to be effective if the Secretary of State has
credible evidence that the Colombian Armed Forces are
not conducting vigorous operations to restore government
authority and respect for human rights in areas under the
effective control of paramilitary and guerrilla organiza-
tions.

(d) PROVISIONS OF LAW THAT REMAIN APPLICA-
BLE.—Sections 556, 567, and 568 of Public Law 107–
115, section 8093 of the Department of Defense Appro-
priations Act, 2002, and the numerical limitations on the number of United States military personnel and United States individual civilian contractors in section 3204(b)(1) of Public Law 106–246, as amended, shall be applicable to funds made available pursuant to the authority contained in subsection (a) and to funds made available elsewhere in this Act that are made available for assistance for the Colombian Armed Forces and the Colombian National Police.

(RESCISSION)

SEC. 604. (a) Of the funds appropriated under the heading “Export-Import Bank of the United States” that are available for tied-aid grants in title I of Public Law 107–115 and under such heading in prior Acts making appropriations for foreign operations, export financing, and related programs, $50,000,000 are rescinded.

(b) Of the funds appropriated under the heading “Economic Support Fund” in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as contained in Public Law 106–113) and in prior Acts making appropriations for foreign operations, export financing, and related programs, $25,000,000 are rescinded.
For an additional amount for “Resource Management”, $412,000, to remain available until expended, to reimburse homeland security-related costs: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for “Construction”, $3,125,000, to remain available until expended, for facility and safety improvements related to homeland security: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for “Construction”, $17,651,000, to remain available until expended: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for “Surveys, Investigations, and Research”, $26,776,000, to remain available until expended, of which $20,000,000 is for high resolution mapping and imagery of the Nation’s strategic cities, and of which $6,776,000 is for data storage infrastructure upgrades and emergency power supply system improvements at the Earth Resources Observation Systems Data Center: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(RESCISSION)

Of the funds provided under this heading in Public Law 107–20 for electric power operations and related activities at the San Carlos Irrigation Project, $10,000,000 are rescinded.
DEPARTMENTAL OFFICES

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For an additional amount for “Departmental Management, Salaries and Expenses”, for security enhancements, $7,030,000, to remain available until expended, of which not to exceed $4,130,000 may be transferred by the Secretary to any office within the Department of the Interior other than the Bureau of Reclamation: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

Forest Service

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for “Capital Improvement and Maintenance”, $3,500,000, to remain available until expended, for facility enhancements to protect property from acts of terrorism, vandalism, and theft: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
OTHER RELATED AGENCY

SMITHSONIAN INSTITUTION

CONSTRUCTION

For an additional amount for “Construction”, $2,000,000, to remain available until expended, for planning, design, and construction of an alcohol collections storage facility at the Museum Support Center: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, THIS CHAPTER

Sec. 701. The Department of the Interior and Related Agencies Appropriations Act, 2002 (Public Law 107–63), under the head “Minerals Management Service, Royalty and Offshore Minerals Management” is amended by striking the word “and” immediately following the word “points,” in the sixth proviso, and by inserting immediately after the word “program” in the sixth proviso “, or under its authority to transfer oil to the Strategic Petroleum Reserve”, and by inserting at the end of the sixth proviso immediately preceding the colon, the following, “and to recover MMS transportation costs, salaries and other administrative costs directly related to filling the Strategic Petroleum Reserve”.

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SEC. 702. In entering into agreements with foreign
countries pursuant to the Wildfire Suppression Assistance
Act (42 U.S.C. 1856m) the Secretary of Agriculture and
the Secretary of the Interior are authorized to enter into
reciprocal agreements in which the individuals furnished
under said agreements to provide wildfire services are con-
sidered, for purposes of tort liability, employees of the
country receiving said services when the individuals are
fighting fires. The Secretary of Agriculture or the Sec-
retary of the Interior shall not enter into any agreement
under this provision unless the foreign country (either di-
rectly or through its fire organization) agrees to assume
any and all liability for the acts or omissions of American
firefighters engaged in firefighting in a foreign country.
When an agreement is reached for furnishing fire fighting
services, the only remedies for acts or omissions com-
mitted while fighting fires shall be those provided under
the laws of the host country and those remedies shall be
the exclusive remedies for any claim arising out of fighting
fires in a foreign country. Neither the firefighter, the send-
ing country nor any organization associated with the fire-
fighter shall be subject to any action whatsoever per-
taining to or arising out of fighting fires.
CHAPTER 8

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for “Training and Employment Services”, $400,000,000, of which $200,000,000 is available for obligation through June 30, 2004 for carrying out sections 171(d) and 173 of the Workforce Investment Act, except that not more than $20,000,000 may be used for carrying out section 171(d); of which $80,000,000 is available for obligation through June 30, 2003 for carrying out section 132(a)(2)(B) of such Act; of which $10,000,000 is available for obligation through June 30, 2004, and shall be transferred to “Economic Development Assistance Programs”, Economic Development Administration, Department of Commerce, for economic development assistance authorized by the Public Works and Economic Development Act of 1965, as amended, including $8,300,000 for “Public Works” investments and $1,700,000 for “Planning” investments; and of which $110,000,000 is available for obligation July 1, 2001 through June 30, 2002 for carrying out section 132(a)(2)(B) of the Workforce Investment Act notwithstanding sections 132(b)(2)(B) and 133(b)(2)(B) of such Act and shall be allotted and allocated in a manner that
restores to the affected States and local workforce investment areas the $110,000,000 that was subject to rescission under Public Law 107–20: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That notwithstanding any other provision of law, the Governor of the State may include information on local area unexpended balances in determining allocation of the funding to local areas made available through June 30, 2003, under this head, for carrying out section 132(a)(2)(B) of the Workforce Investment Act.

**OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

**SALARIES AND EXPENSES**

Of the funds provided under this heading in Public Law 107–116 for Occupational Safety and Health Administration training grants, $1,000,000 shall be used to restore reductions in Institutional Competency Building training grants which commenced in September 2000, for program activities ending September 30, 2002 and $4,275,000 shall be used to extend funding for these same Institutional Competency Building training grants for program activities for the period of September 30, 2002 to September 30, 2003, and $5,900,000 shall be used to ex-
tend funding for targeted training grants which commenced in September 2001 for program activities for the period of September 30, 2002 to September 30, 2003, provided that a grantee has demonstrated satisfactory performance.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The matter preceding the first proviso under this heading in Public Law 107–116 is amended—

(1) by inserting “IV,” after “titles II, III,”; and
(2) by striking “$311,978,000” and inserting “$315,333,000”.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

For emergency expenses necessary to support activities related to countering potential biological, disease, and chemical threats to civilian populations and for carrying out title III of the Public Health Service Act, $315,000,000, to be available until expended. Of this amount, $37,000,000 shall be for improving security, including information technology security, and $278,000,000 shall be for equipment and construction and renovation of facilities in Atlanta: Provided, That notwith-
standing any other provision of law, a single contract or
related contracts for development and construction of fa-
cilities may be employed which collectively include the full
scope of the project: Provided further, That the solicitation
and contract shall contain the clause “availability of
funds” found at 48 CFS 52.232–18: Provided further,
That the entire amount is designated by the Congress as
an emergency requirement pursuant to section
251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended.

NATIONAL INSTITUTES OF HEALTH

BUILDINGS AND FACILITIES

(INCLUDING RESCISSION)

Of the funds provided under this heading in Public
Law 107–116, $30,000,000 are rescinded.

For emergency expenses necessary to support activi-
ties related to countering potential biological, disease, and
chemical threats to civilian populations, and for the study
of, construction of, renovation of, and acquisition of equip-
ment for, facilities of or used by the National Institutes
of Health, including the acquisition of real property,
$72,000,000 to remain available until expended: Provided,
That notwithstanding any other provision of law, a single
contract or related contracts for the development and con-
struction of facilities may be employed which collectively
include the full scope of the project: Provided further, That
the solicitation and contract shall contain the clause
“availability of funds” found at 48 CFS 52.232–18: Pro-
vided further, That the entire amount is designated by the
Congress as an emergency requirement pursuant to sec-
tion 251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended.

OFFICE OF THE SECRETARY
PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
FUND

For emergency expenses to respond to the September
11, 2001, terrorist attacks on the United States for “Pub-
lic Health and Social Services Emergency Fund” for base-
line and follow-up screening, long-term health monitoring
and analysis for the emergency services personnel and res-
cue and recovery personnel, $90,000,000, to remain avail-
able until expended, of which no less than $25,000,000
shall be available for current and retired firefighters: Pro-
vided, That the entire amount is designated by the Con-
gress as an emergency requirement pursuant to section
251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended.

DEPARTMENT OF EDUCATION
SCHOOL IMPROVEMENT PROGRAMS

The matter under this heading in Public Law 107–
116 is amended by inserting before the period, “: Provided
further, That of the amount made available under subpart 8, part D, title V of the ESEA, $2,300,000 shall be available for Digital Educational Programming Grants’’.

Of the funds provided under this heading in Public Law 107–116 to carry out the Elementary and Secondary Education Act of 1965, $832,889,000 shall be available to carry out part D of title V, and up to $11,500,000 may be used to carry out section 2345.

In the statement of the managers of the committee of conference accompanying H.R. 3061 (Public Law 107–116; House Report 107–342), in the matter relating to the Fund for the Improvement of Education under the heading “School Improvement Programs”—

(1) the provision specifying $200,000 for Fresno At-Risk Youth Services and the provision specifying $225,000 for the Fresno Unified School District shall be applied by substituting the following for the two provisions: “Fresno Unified School District, Fresno, California, in partnership with the City of Fresno, California, for activities to address the problems of at-risk youth, including afterschool activities and a mobile science unit, $425,000’’;

(2) the provision specifying $50,000 for the Lewiston-Auburn College/University of Southern Maine shall be deemed to read as follows: “Lewis-
ton-Auburn College/University of Southern Maine TEAMS program to prepare teachers to meet the demands of Maine’s 21st century elementary and middle schools, $50,000’’;

(3) the provision specifying $250,000 for the Wellington Public School District, Wellington, KS, shall be deemed to read as follows: “Wellington Public School District, Wellington, KS, for after school activities, $250,000’’;

(4) the provision specifying $200,000 for the Vermont Higher Education Council shall be deemed to read as follows: “Vermont Higher Education Consortium to develop universal early learning programs to ensure that at least one certified teacher will be available in center-based child care programs, $200,000’’;

(5) the provision specifying $250,000 for Education Service District 117 in Wenatchee, WA, shall be deemed to read as follows: “Education Service District 171 in Wenatchee, WA, to equip a community technology center to expand technology-based training, $250,000’’;

(6) the provision specifying $1,000,000 for the Electronic Data Systems Project shall be deemed to read as follows: “Washington State Department of
Education for an electronic data systems project to create a database that would improve the acquisition, analysis and sharing of student information, $1,000,000’’;

(7) the provision specifying $250,000 for the YMCA of Seattle-King-Snohomish County shall be deemed to read as follows: “YWCA of Seattle-King County-Snohomish County to support women and families through an at-risk youth center and other family supports, $250,000’’;

(8) the provision specifying $50,000 for Drug Free Pennsylvania shall be deemed to read as follows: “Drug Free Pennsylvania to implement a demonstration project, $50,000’’;

(9) the provision specifying $20,000,000 for the Commonwealth of Pennsylvania Department of Education shall be deemed to read as follows: “$20,000,000 is included for a grant to the Commonwealth of Pennsylvania Department of Education to provide assistance, through subgrants, to low-performing school districts that are slated for potential takeover and/or on the Education Empowerment List as prescribed by Pennsylvania State Law. The initiative is intended to improve the management and operations of the school districts; assist
with curriculum development; provide after-school, summer and weekend programs; offer teacher and principal professional development and promote the acquisition and effective use of instructional technology and equipment’’;

(10) the provision specifying $150,000 for the American Theater Arts for Youth, Inc., Philadelphia, PA, for a Mississippi Arts in Education Program shall be deemed to read as follows: “American Theater Arts for Youth, Inc., for a Mississippi Arts in Education program, $150,000’’;

(11) the provision specifying $340,000 for the Zero to Five Foundation, Los Angeles, California, shall be deemed to read as follows: “Zero to Five Foundation, Los Angeles, California, to develop an early childhood education and parenting project, $340,000’’;

(12) the provision specifying $900,000 for the University of Nebraska, Kearney, Nebraska, shall be deemed to read as follows: “University of Nebraska, Kearney, Nebraska, for a Minority Access to Higher Education Program to address the special needs of Hispanic and other minority populations from grades K–12, $900,000’’;
(13) the provision specifying $25,000 for the American Theater Arts for Youth for an Arts in Education program shall be deemed to read as follows: “American Theater Arts for Youth, Inc., in Philadelphia, Pennsylvania, for an Arts in Education program, $25,000”; and

(14) the provision specifying $50,000 for the Lewiston-Auburn College/University of Southern Maine shall be deemed to read as follows: “Lewiston-Auburn College/University of Southern Maine CLASS program to prepare teachers to meet the demands of Maine’s 21st century elementary and middle schools, $50,000”.

STUDENT FINANCIAL ASSISTANCE

For an additional amount for “Student Financial Assistance” for carrying out subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended, $1,000,000,000, to remain available through September 30, 2003: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

HIGHER EDUCATION

In the statement of the managers of the committee of conference accompanying H.R. 3061 (Public Law 107–116; House Report 107–342), in the matter relating to
the Fund for the Improvement of Postsecondary Edu-

cation under the heading “Higher Education”—

(1) the provision for Nicholls State University,
Thibodaux, LA, shall be applied by substituting
“Intergenerational” for “International”;

(2) the provision specifying $1,000,000 for the
George J. Mitchell Scholarship Research Institute
shall be deemed to read as follows: “George J.
Mitchell Scholarship Research Institute in Portland,
Maine, for an endowment to provide scholarships
that allow students attending public schools in
Maine to continue their education, $1,000,000”;

(3) the provision specifying $10,000,000 for the
Shriver Peace Worker Program, Inc. shall be
deemed to read as follows: “Shriver Peace Worker
Program, Inc. to establish the Sargent Shriver
Peace Center, which may include establishing an en-
dowment for such center, for the purpose of sup-
porting graduate research fellowships, professor-
ships, and grants and scholarships for students re-
lated to peace studies and social change,
$10,000,000”; and

(4) the provision specifying $1,000,000 for
Cleveland State University shall be deemed to read
as follows: “Cleveland State University, College of
Education, Cleveland, Ohio, for a K–16 Urban School Leadership initiative, $1,000,000”.

EDUCATION RESEARCH, STATISTICS, AND ASSESSMENT

The matter under this heading in Public Law 107–116, is amended by inserting before the period the following new proviso: “: Provided further, That $5,000,000 shall be available to extend for one additional year the contract for the Eisenhower National Clearinghouse for Mathematics and Science Education authorized under section 2102(a)(2) of the Elementary and Secondary Education Act of 1965, prior to its amendment by the No Child Left Behind Act of 2001, Public Law 107–110”.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 801. The Elementary and Secondary Education Act of 1965 is hereby amended in section 8003 by amending subsection (b)(2)(D)(ii)(III) to read as follows: “For a local educational agency that does not qualify under (B)(i)(II)(aa) of this subsection and has an enrollment of more than 100 but not more than 1,000 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.”.

SEC. 802. The Elementary and Secondary Education Act of 1965 is hereby amended in section 8003(b)(1) by adding the following as subparagraph (G):
“(G) Beginning with fiscal year 2002, for the purpose of calculating a payment under this paragraph for a local educational agency whose local contribution rate was computed under subparagraph (C)(iii) for the previous year, the Secretary shall use a local contribution rate that is not less than 95 percent of the rate that the LEA received for the preceding year.”.

Sec. 803. Amounts made available in Public Law 107–116 for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education, shall be reduced on a pro rata basis by $45,000,000: Provided, That this provision shall not apply to the Food and Drug Administration and the Indian Health Service: Provided further, That not later than 15 days after the enactment of this Act, the Director of the Office of Management and Budget shall report to the House and Senate Committees on Appropriations the accounts subject to the pro rata reductions and the amount to be reduced in each account.

Sec. 804. The Higher Education Amendments of 1998 are hereby amended in section 821 as follows:

(1) in subsection (b), by striking “25” and inserting “35”;
(2) in subsection (e)(3), by striking “$1,500” and inserting “$2,000”; and

(3) in subsection (f) by striking “25” and inserting “35”.

SEC. 805. (a) Section 487 of the Public Health Service Act (42 U.S.C. 288) is amended by striking “National Research Service Awards” or “National Research Service Award” each place either appears and inserting in lieu thereof “Ruth L. Kirschstein National Research Service Awards” or “Ruth L. Kirschstein National Research Service Award” as appropriate.

(b) The heading for Section 487 of the Public Health Service Act (42 U.S.C. 288) is amended to read as follows: “Ruth L. Kirschstein National Research Service Awards”.

(c) Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to “National Research Service Awards” shall be considered to be a reference to “Ruth L. Kirschstein National Research Service Awards”.

SEC. 806. (a) Section 3306(u) of title 26, United States Code, is amended by adding at the end the following: “Such term does not include any entity located in Alaska.”.
(b) The amendment made by this section shall take effect as if included in the amendment made by section 166(d) of the Community Renewal Tax Relief Act of 2000.

CHAPTER 9

LEGISLATIVE BRANCH

JOINT ITEMS

CAPITOL POLICE BOARD

CAPITOL POLICE

GENERAL EXPENSES

For an additional amount for the Capitol Police Board for necessary expenses of the Capitol Police, including security equipment and installation, supplies, materials and contract services, $3,600,000, to be disbursed by the Capitol Police Board or their designee: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

LIBRARY OF CONGRESS

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For an additional amount for “Copyright Office, Salaries and expenses”, $7,500,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant
to section 251(b)(2)(A) of the Balanced Budget and
Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 901. The amount otherwise made available
under section 506 of the Supplemental Appropriations
Act, 1973 (2 U.S.C. 58) for fiscal year 2002 to any Sen-
ator from the Senators' Official Personnel and Office Ex-
 pense Account shall be increased by the amount (not in
excess of $20,000) which the Senator certifies in a written
request to the Secretary of the Senate made not later than
September 30, 2002, as being necessary for the payment
or reimbursement of expenditures incurred or obligated
during fiscal year 2002 that—

(1) are otherwise payable from such account,

and

(2) are directly related to responses to the ter-
 rorist attacks of September 11, 2001, or the dis-
 covery of anthrax in the Senate complex and the dis-
 placement of Senate offices due to such discovery.

SEC. 902. (a) Chapter 9 of the Emergency Supple-
 mental Act, 2002 (Public Law 107–117; 115 Stat. 2315),
is amended—

(1) in section 901 (a), by striking “buildings
and facilities” and insert “buildings and facilities,
subject to the availability of appropriations,”.
(b) Section 9 of the Act of July 31, 1946 (40 U.S.C. 212a), is amended by redesignating the subsection (b) added by section 903(c)(2) of the Emergency Supplemental Act, 2002, as subsection (c).

c) The amendment made by this section shall take effect as if included in the enactment of the Emergency Supplemental Act, 2002.

Sec. 903. (a) Section 909(a) of chapter 9 of the Emergency Supplemental Act, 2002 (40 U.S.C. 207b–2; Public Law 107–117; 115 Stat. 2320) (in this section referred to as the “Act”) is amended—

(1) in paragraph (1), by striking “determines that the Capitol Police would be likely, in the absence of such a bonus, to encounter difficulty in filling the position” and inserting “, in the sole discretion of the Board, determines that such a bonus will assist the Capitol Police in recruitment efforts”; and

(2) by adding at the end the following:

“(6) Determinations not appealable or reviewable.—Any determination of the Board under this subsection shall not be appealable or reviewable in any manner.”.

(b) Section 909(b) of the Act is amended—

(1) in paragraph (1)—
(A) by striking subparagraphs (A) and
(B); and

(B) by striking “if—” and inserting “if the
Board, in the sole discretion of the Board, de-
determines that such a bonus will assist the Cap-
itol Police in retention efforts.”; and

(2) in paragraph (3), by striking “the reduction
or the elimination of a retention allowance may not
be appealed” and inserting “any determination of
the Board under this subsection, or the reduction or
elimination of a retention allowance, shall not be ap-
pealable or reviewable in any manner”.

e) Section 909 of the Act is amended—

(1) by redesignating subsections (f) and (g) as
subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the fol-
lowing:

“(f) Tuition Allowances.—The Capitol Police
Board may authorize the Chief to pay tuition allowances
for payment or reimbursement of education expenses in
the same manner and to the same extent as retention al-
allowances under subsection (b).”.

Sec. 904. (a) The Architect of the Capitol is author-
ized, subject to the availability of appropriations, to ac-
quire (through purchase, lease, or otherwise) buildings
and facilities for use as computer backup facilities (and related uses) for offices in the legislative branch.

(b) The acquisition of a building or facility under subsection (a) shall be subject to the approval of—

(1) the House Office Building Commission, in the case of a building or facility acquired for the use of an office of the House of Representatives;

(2) the Committee on Rules and Administration of the Senate, in the case of a building or facility acquired for the use of an office of the Senate; or

(3) the House Office Building Commission and the Committee on Rules and Administration of the Senate, in the case of a building or facility acquired for the use of any other office in the legislative branch.

(e) Any building or facility acquired by the Architect of the Capitol pursuant to subsection (a) shall be a part of the United States Capitol Grounds and shall be subject to the provisions of the Act entitled “An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes”, approved July 31, 1946.

(d) This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.
For additional amounts for emergency expenses to ensure transportation security, $4,702,525,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That of the amounts provided under this head, $200,000,000 shall be for port security grants under the same terms and conditions as provided for under Public Law 107–117; $20,000,000 shall be used to enable the Under Secretary for Transportation Security to make grants and enter into contracts to enhance security for intercity bus operations; and $27,945,000 shall be used to enable said Under Secretary to make grants, enter into contracts and execute interagency agreements for the purpose of deploying Operation Safe Commerce.

U.S. COAST GUARD

OPERATING EXPENSES

For an additional amount for “Operating Expenses” for emergency expenses for homeland security, $318,400,000, to remain available until September 30, 2003: Provided, That the entire amount is designated by
the Congress as an emergency requirement pursuant to
section 251(b)(2)(A) of the Balanced Budget and Emer-
gency Deficit Control Act of 1985, as amended.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS
For an additional amount for “Acquisition, Construc-
tion, and Improvements” for emergency expenses for
homeland security, $347,700,000, to remain available
until September 30, 2004: Provided, That the entire
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS
For an additional amount for “Operations”,
$100,000,000, for security activities at Federal Aviation
Administration facilities: Provided, That the entire
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985,
as amended.

FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)
For an additional amount for “Facilities and Equip-
ment”, $15,000,000, to be derived from the Airport and
Airway Trust Fund and to remain available until ex-
pended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GRANTS-IN-AID FOR AIRPORTS (AIRPORT AND AIRWAY TRUST FUND)

For an additional amount to enable the Federal Aviation Administrator to compensate airports for the direct costs associated with new, additional or revised security requirements imposed on airport operators by the Administrator on or after September 11, 2001, notwithstanding any other provision of law, $100,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM (HIGHWAY TRUST FUND)

For an additional amount for “Emergency Relief Program”, as authorized by 23 U.S.C. 125, for emergency expenses to respond to the September 11, 2001, terrorist attacks on New York City, $167,000,000 for the State of
New York, to be derived from the Highway Trust Fund and to remain available until expended: Provided, That notwithstanding 23 U.S.C. 120(e), the Federal share for any project on a Federal-aid highway related to the New York City terrorist attacks shall be 100 percent: Provided further, That notwithstanding 23 U.S.C. 125(d)(1), the Secretary of Transportation may obligate more than $100,000,000 for those projects: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL-AID HIGHWAYS
(HIGHWAY TRUST FUND)
(RESCISSION)

Of the funds apportioned to each state under the programs authorized under sections 1101(a)(1), 1101(a)(2), 1101(a)(3), 1101(a)(4) and 1101(a)(5) of Public Law 105–178, as amended, $200,000,000 are rescinded.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
BORDE Benefits from the Highway Trust Fund, of which $4,200,000 shall be to implement section 1012 of Public Law 107–56 (USA
Patriot Act); $10,000,000 shall be for drivers’ license fraud detection and prevention, northern border safety and security study, and hazardous material security education and outreach; and $5,100,000 shall be for the purposes of coordinating drivers’ license registration and social security number verification: Provided, That in connection with such commercial drivers’ license fraud deterrence projects, the Secretary may enter into such contracts or grants with the American Association of Motor Vehicle Administrators, States, or other persons as the Secretary may so designate to carry out these purposes: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL RAILROAD ADMINISTRATION

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for the National Railroad Passenger Corporation for emergency expenses to ensure the safety of rail passenger operations, $55,000,000, to remain available until expended, of which $20,000,000 shall be used to repair damaged passenger equipment, $12,000,000 shall be used for emergency security needs,
and $23,000,000 shall be used for the heavy overhaul of
the rail passenger fleet.

**FEDERAL TRANSIT ADMINISTRATION**

**CAPITAL INVESTMENT GRANTS**

For an additional amount for “Capital Investment
Grants” for emergency expenses to respond to the Sep-
tember 11, 2001, terrorist attacks in New York City,
$1,800,000,000, to remain available until expended, to re-
place, rebuild, or enhance the public transportation sys-
tems serving the Borough of Manhattan, New York City,
New York: *Provided,* That the Secretary may use up to
one percent of this amount for oversight activities: *Pro-
vided further,* That these funds are subject to grant re-
quirements as determined by the Secretary to ensure that
eligible projects will improve substantially the mobility of
commuters in Lower Manhattan: *Provided further,* That
the Federal share for any project funded from this amount
shall be 100 percent: *Provided further,* That these funds
are in addition to any other appropriation available for
these purposes: *Provided further,* That the entire amount
is designated by the Congress as an emergency require-
ment pursuant to section 251(b)(2)(A) of the Balanced
Budget and Emergency Deficit Control Act of 1985, as
amended.
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For an additional amount for “Research and Special Programs” to establish a Transportation Information Operations Center for improving transportation emergency response coordination, $3,500,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1001. Section 1106 of Public Law 107–117 is amended by deleting “$116,023,000” and inserting “$128,123,000”.

SEC. 1002. Section 1102 of Public Law 105–178 is amended by adding at the end the following:

“(k) Notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs for fiscal year 2003 shall be not less than $27,746,000,000 and not more than $28,900,000,000.”.

SEC. 1003. Title II of Division C of Public Law 105–277 is amended by striking “of more than 750 gross registered tons” in each place it appears, and inserting in lieu thereof, “of more than 750 gross registered tons (as
measured under Chapter 145 of Title 46) or 1,900 gross registered tons as measured under Chapter 143 of that Title)”.

Sec. 1004. Notwithstanding any other provision of law, federal credit instruments issued pursuant to section 101(a)(1) of Public Law 107–42 shall not exceed $429,000,000 in fiscal year 2002 and not exceed $4,000,000,000 in the aggregate.

Sec. 1005. Section 335 of Public Law 107–87 is amended by inserting “and the Transportation Security Administration” after “the Federal Aviation Administration”; by inserting “, aviation security” after “air navigation”, and by inserting “and the TSA for necessary security checkpoints” after the word “facilities”.

Sec. 1006. Section 354 of Public Law 106–346 (114 Stat. 1356A–35) is amended by inserting “or Nail Road” after “Star Landing Road”.

CHAPTER 11
DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

(RESCISSION)

Of the available balances under this heading, $14,000,000 are rescinded.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $59,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INTERNAL REVENUE SERVICE

INFORMATION SYSTEMS

(RESCISSION)

Of the available balances under this heading, $10,000,000 are rescinded.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $17,200,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced...
POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For an additional amount for “Payment to the Postal Service Fund” for emergency expenses to enable the Postal Service to protect postal employees and postal customers from exposure to biohazardous material and to sanitize and screen the mail, $87,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $5,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That none of these funds may be obligated until the Senate confirms a Director for Homeland Security in the Of-
For an additional amount for “Federal Buildings Fund” for building security emergency expenses resulting from the September 11, 2001, terrorist attacks on the United States, $51,800,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for “Policy and Operations” for emergency expenses related to vulnerabilities in internet data transmission capability, $2,500,000, to remain available until September 30, 2003: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Sec. 1101. For purposes of section 201(a) of the Federal Property and Administrative Services Act of 1949
(relating to Federal sources of supply, including lodging providers, airlines and other transportation providers), the Eisenhower Exchange Fellowship Program shall be deemed an executive agency for the purposes of carrying out the provisions of 20 U.S.C. 5201, and the employees of and participants in the Eisenhower Exchange Fellowship Program shall be eligible to have access to such sources of supply on the same basis as employees of an executive agency have such access.

SEC. 1102. DIRECTOR FOR HOMELAND SECURITY.

(a) IN GENERAL.—There is established the position of Director for Homeland Security in the Office of Homeland Security established under section 1 of Executive order No. 13228. The Director for Homeland Security shall be the head of that Office, after appointment by the President, by and with the advice and consent of the Senate.

(b) EFFECTIVE DATE.—This section shall take effect 30 days after the date of enactment of this Act.

CHAPTER 12

DEPARTMENT OF VETERANS AFFAIRS

Veterans Benefits Administration

COMPENSATION AND PENSIONS

For an additional amount for “Compensation and pensions”, $1,100,000,000, to remain available until expended.
VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For an additional amount for “Medical care” resulting from continued open enrollment for Priority Level 7 veterans, $142,000,000.

For an additional amount for “Medical care”, $275,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the amounts unobligated or recaptured, prior to September 30, 2002, from funds appropriated under this heading during fiscal year 2002 and prior years, $300,000,000 are rescinded.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

For an additional amount for “Community Development Fund”, as authorized by title I of the Housing and Community Development Act of 1974, as amended, for emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States,
$750,000,000, to remain available until expended: Provided, That the State of New York, in cooperation with the City of New York, shall, through the Lower Manhattan Development Corporation, distribute these funds: Provided further, That such funds may be used for assistance for properties and businesses (including the restoration of utility infrastructure) damaged by, and for economic revitalization directly related to, the terrorist attacks on the United States that occurred on September 11, 2001, in New York City and for reimbursement to the State and City of New York for expenditures incurred from the regular Community Development Block Grant formula allocation used to achieve these same purposes: Provided further, That the State of New York is authorized to provide such assistance to the City of New York: Provided further, That in administering these funds and funds under section 108 of such Act used for economic revitalization activities in New York City, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such waiver is required to facilitate the use of such funds or
guarantees: Provided further, That such funds shall not adversely affect the amount of any formula assistance received by the State of New York, New York City, or any categorical application for other Federal assistance: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974, as amended, no later than five days before the effective date of such waiver: Provided further, That the Secretary shall notify the Committees on Appropriations on the proposed allocation of any funds and any related waivers pursuant to this section no later than five days before such allocation: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The referenced statement of the managers under the heading “Community Development Block Grants” in title II of Public Law 105–276 is deemed to be amended by striking “$250,000 for renovation, accessibility, and asbestos remediation for the Wellstone Neighborhood Center, Wellstone, Missouri” and insert in lieu thereof “$250,000 for the St. Louis Economic Council for design,
infrastructure and construction related to the Enterprise Center-Wellstone in Wellstone, Missouri”.

The referenced statement of the managers under the heading “Community Development Fund” in title II of Public Law 106–377 is deemed to be amended by striking “$1,000,000 for the Community Action Agency of Southern New Mexico, Inc. for construction of a regional food bank and supporting offices” and insert in lieu thereof “$1,000,000 for the Community Action Agency of Southern New Mexico for construction, purchase, or renovation and the equipping of a regional food bank and supporting offices”.

The referenced statement of the managers under the heading “Community Development Fund” in title II of Public Law 107–73 is deemed to be amended by striking “$400,000 to the City of Reading, PA for the development of the Morgantown Road Industrial Park on what is currently a brownfields site” and insert in lieu thereof “$400,000 for the City of Reading, PA for the development of the American Chain and Cable brownfield site”.

The referenced statement of the managers under the heading “Community Development Fund” in title II of Public Law 107–73 is deemed to be amended by striking “$750,000 for the Smart Start Child Care Center and Expertise School of Las Vegas, Nevada for construction of
a child care facility” and insert in lieu thereof “$250,000
for the Smart Start Child Care Center and Expertise
School of Las Vegas, Nevada for construction of a child
care facility and $500,000 for job training”.

HOME INVESTMENT PARTNERSHIPS PROGRAM
(RECISsION)

Of the funds made available under this heading in
Public Law 107–73, $50,000,000 are rescinded from the
Downpayment Assistance Initiative.

HOUSING PROGRAMS
RENTAL HOUSING ASSISTANCE

The limitation otherwise applicable to the maximum
payments that may be required in any fiscal year by all
contracts entered into under section 236 of the National
Housing Act (12 U.S.C. 1715z–1) is reduced in fiscal year
2002 by not more than $300,000,000 in uncommitted bal-
ances of authorizations of contract authority provided for
this purpose in appropriations acts: Provided, That up to
$300,000,000 of recaptured section 236 budget authority
resulting from the prepayment of mortgages subsidized
under section 236 of the National Housing Act (12 U.S.C.
1715z–1) shall be made available as provided in section
236(s) of the National Housing Act.
INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for “Science and technology”, $100,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for “Hazardous substance superfund” for additional expenses incurred for anthrax investigations and cleanup actions at the United States Capitol and the Congressional office building complex, $12,500,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an additional amount for “Disaster relief” for emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, $2,660,000,000, to remain available until expended: Provided, That in administering the Mortgage and Rental Assistance Program for victims of September 11, 2001, the
Federal Emergency Management Agency will recognize those people who were either directly employed in the Borough of Manhattan or had at least 75 percent of their wages coming from business conducted within the Borough of Manhattan as eligible for assistance under the program, as they were directly impacted by the terrorist attacks: Provided further, That FEMA shall provide compensation to previously denied Mortgage and Rental Assistance Program applicants who would qualify under these new guidelines: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For an additional amount for “Emergency management planning and assistance” for emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, $745,000,000, of which $175,000,000 is for FEMA to make available to the States for State and local all hazards operational planning including response planning for natural and man-made disasters including terrorism; $300,000,000 for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.); $92,000,000 for the existing national urban search and
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1 rescue system; $115,000,000 for interoperable commu-
2 nications equipment; $56,000,000 for grants to state and
3 local governments for emergency operations centers; and
4 $7,000,000 for secure communications equipment and as-
5 sociated facility improvements and maintenance for state
6 emergency operations centers: Provided, That the entire
7 amount is designated by the Congress as an emergency
8 requirement pursuant to section 251(b)(2)(A) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985,
10 as amended.

CERRO GRANDE FIRE CLAIMS

11 For an additional amount for “Cerro Grande Fire
12 Claims”, $80,000,000 for claims resulting from the Cerro
13 Grande fires: Provided, That the entire amount is des-
14 ignated by the Congress as an emergency requirement
15 pursuant to section 251(b)(2)(A) of the Balanced Budget
16 and Emergency Deficit Control Act of 1985, as amended.

NATIONAL SCIENCE FOUNDATION

EDUCATION AND HUMAN RESOURCES

19 For an additional amount for “Education and human
20 resources” for emergency expenses to respond to emergent
21 needs in cyber security, $19,300,000: Provided, That the
22 entire amount is designated by the Congress as an emer-
23 gency requirement pursuant to section 251(b)(2)(A) of the
24 Balanced Budget and Emergency Deficit Control Act of
25 1985, as amended.
GENERAL PROVISIONS, THIS CHAPTER

Sec. 1201. The Secretary of Housing and Urban Development shall continue to administer the Disposition of Assets in Revitalization Areas program as provided in section 602 of Public Law 105–276 and the Secretary shall renew all contracts and enter into new contracts with eligible participants in a manner consistent with the requirements of such section.

Sec. 1202. The Secretary of Housing and Urban Development shall submit a report every 90 days to the House and Senate Committees on Appropriations on the status of any multifamily housing project (including all hospitals and nursing homes) insured under the National Housing Act that has been in default for longer than 60 days. The report shall include the location of the property, the reason for the default, and all actions taken by the Secretary and owner with regard to the default, including any work-out agreements, the status and terms of any assistance or loans, and any transfer of an ownership interest in the property (including any assistance or loans made to the prior, current or intended owner of the property or to the local unit of government in which the property is located).

Sec. 1203. For purposes of assessing the use of Stafford Apartments (FHA Project No: 052–44163) as stu-
dent housing, notwithstanding any other provision of law—

(1) such property shall not be considered an eligible multifamily housing project pursuant to section 512(2) of MAHRAA for a period not to exceed 24 months from the date of enactment of this amendment, and the Secretary shall offer to extend the current Section 8 contract at rent levels as in effect during fiscal year 2001, subject to annual operating cost adjustment factor increases, for a continuous period commencing October 1, 2001 not to exceed 24 months from the date of enactment of this amendment, provided that such contract shall be extended further at such rent levels to accomplish a mortgage restructuring if required after such 24 month period for a period of the earlier of one year or the closing of the restructuring plan as set forth in the regulations promulgated at 24 CFR Part 401 as now in effect;

(2) subject to the concurrence by the Secretary of a relocation plan for current tenants, all of the units in the projects may be available for student housing notwithstanding any federal use restrictions including those required pursuant to Section 201 of the Housing and Community Development Amend-
ments of 1978, as amended, and Section 250 of the
National Housing Act, as amended; and

(3) upon the concurrence by the Secretary of
such relocation plan, all of the tenants of the project
shall be relocated, and any rights of tenants to elect
to remain in the project pursuant to the provisions
of Section 8(t)(1)(B) of the United States Housing
Act of 1937, as amended, shall not apply.

TITLE II—GENERAL PROVISIONS

SEC. 2001. No part of any appropriation contained
in this Act shall remain available for obligation beyond
the current fiscal year unless expressly so provided in this
Act.

SEC. 2002. (a) IN GENERAL.—Any amount appro-
priated in this Act that is designated by the Congress as
an emergency requirement pursuant to section
251(b)(2)(A) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended, shall not be
available for obligation unless all such amounts appro-
priated in this Act are designated by the President, upon
enactment of this Act, as emergency requirements pursu-
ant to that section.

(b) EXCEPTION.—Subsection (a) shall not apply to
chapter 3 of title I.
This Act may be cited as the “2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States”.

S 2551 PCS
A BILL

Making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

MAY 22, 2002
Read twice and placed on the calendar