

Calendar No. 384

107TH CONGRESS
2^D SESSION

S. 2551

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:

1 TITLE I—SUPPLEMENTAL APPROPRIATIONS

2 CHAPTER 1

3 DEPARTMENT OF AGRICULTURE

4 OFFICE OF THE SECRETARY

5 (INCLUDING TRANSFERS OF FUNDS)

6 For an additional amount for “Office of the Sec-
7 retary”, \$18,000,000, to remain available until expended:
8 *Provided*, That the Secretary shall transfer these funds to
9 the Agricultural Research Service, the Animal and Plant
10 Health Inspection Service, the Agricultural Marketing
11 Service, and/or the Food Safety and Inspection Service:
12 *Provided further*, That the entire amount is designated by
13 the Congress as an emergency requirement pursuant to
14 section 251(b)(2)(A) of the Balanced Budget and Emer-
15 gency Deficit Control Act of 1985, as amended.

16 AGRICULTURAL RESEARCH SERVICE

17 SALARIES AND EXPENSES

18 For an additional amount for “Salaries and Ex-
19 penses”, \$16,000,000, to remain available until September
20 30, 2003: *Provided*, That the entire amount is designated
21 by the Congress as an emergency requirement pursuant
22 to section 251(b)(2)(A) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985, as amended.

24 BUILDINGS AND FACILITIES

25 For an additional amount for “Buildings and Facili-
26 ties”, \$50,000,000, to remain available until expended.

1 COOPERATIVE STATE RESEARCH, EDUCATION, AND
2 EXTENSION SERVICE
3 EXTENSION ACTIVITIES

4 For an additional amount for “Extension Activities”,
5 \$16,000,000, to remain available until September 30,
6 2003: *Provided*, That the entire amount is designated by
7 the Congress as an emergency requirement pursuant to
8 section 251(b)(2)(A) of the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985, as amended.

10 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
11 SALARIES AND EXPENSES

12 For an additional amount for “Salaries and Ex-
13 penses”, \$60,000,000, to remain available until September
14 30, 2003: *Provided*, That the entire amount is designated
15 by the Congress as an emergency requirement pursuant
16 to section 251(b)(2)(A) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985, as amended.

18 FOOD SAFETY AND INSPECTION SERVICE

19 For an additional amount for “Food Safety and In-
20 spection Service”, \$15,000,000, to remain available until
21 September 30, 2003: *Provided*, That the entire amount is
22 designated by the Congress as an emergency requirement
23 pursuant to section 251(b)(2)(A) of the Balanced Budget
24 and Emergency Deficit Control Act of 1985, as amended.

1 NATURAL RESOURCES CONSERVATION SERVICE

2 WATERSHED AND FLOOD PREVENTION OPERATIONS

3 For an additional amount for “Watershed and Flood
4 Prevention Operations”, for emergency recovery oper-
5 ations, \$100,000,000, to remain available until expended:
6 *Provided*, That of this amount, \$27,000,000 is designated
7 by the Congress as an emergency requirement pursuant
8 to section 251(b)(2)(A) of the Balanced Budget and
9 Emergency Deficit Control Act of 1985, as amended.

10 RURAL COMMUNITY ADVANCEMENT PROGRAM

11 For an additional amount for “Rural Community Ad-
12 vancement Program” for emergency purposes for grants
13 and loans as authorized by 7 U.S.C. 381E(d)(2),
14 306(a)(14), and 306C, \$25,000,000, with up to
15 \$5,000,000 for contracting with qualified organization(s)
16 to conduct vulnerability assessments for rural community
17 water systems, to remain available until expended: *Pro-*
18 *vided*, That the entire amount is designated by the Con-
19 gress as an emergency requirement pursuant to section
20 251(b)(2)(A) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985, as amended.

1 RURAL UTILITIES SERVICE
2 LOCAL TELEVISION LOAN GUARANTEE PROGRAM
3 ACCOUNT
4 (INCLUDING RESCISSION)

5 Of funds made available under this heading for the
6 cost of guaranteed loans, including the cost of modifying
7 loans as defined in section 502 of the Congressional Budg-
8 et Act of 1974, \$20,000,000 are rescinded.

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

12 FOOD AND NUTRITION SERVICE
13 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
14 WOMEN, INFANTS, AND CHILDREN (WIC)

15 For an additional amount for “Special Supplemental
16 Nutrition Program for Women, Infants, and Children
17 (WIC)”, \$75,000,000, to remain available until September
18 30, 2003: *Provided*, That of the amounts provided in this
19 Act and any amounts available for reallocation in fiscal
20 year 2002, the Secretary shall reallocate funds under sec-
21 tion 17(g)(2) of the Child Nutrition Act of 1966, as
22 amended, in the manner and under the formula the Sec-
23 retary deems necessary to respond to the effects of unem-
24 ployment 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,

1 and Supplementary Protocol signed November 14, 1944,
 2 signed at Washington on February 3, 1944 (59 Stat.
 3 1219; TS 944)

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

8 (d) EMERGENCY DESIGNATION.—The entire amount
 9 necessary to carry out this section is designated by Con-
 10 gress as an emergency requirement pursuant to section
 11 251(b)(2)(A) of the Balanced Budget and Emergency
 12 Deficit Control Act of 1985, as amended.

13 CHAPTER 2

14 DEPARTMENT OF JUSTICE

15 GENERAL ADMINISTRATION

16 SALARIES AND EXPENSES

17 For an additional amount for “Salaries and Ex-
 18 penses” to respond to the September 11, 2001, terrorist
 19 attacks on the United States, \$12,750,000, to remain
 20 available until expended: *Provided*, That \$10,750,000 is
 21 for the planning, development, and deployment of an inte-
 22 grated fingerprint identification system, including auto-
 23 mated capability to transmit fingerprint and image data
 24 for the design, and for the development, testing, and de-
 25 ployment of a standards-based, integrated, interoperable

1 computer system for the Immigration and Naturalization
2 Service (“Chimera system”), to be managed by Justice
3 Management Division, as authorized by section 202 of
4 H.R. 3525: *Provided further*, That \$2,000,000 is for the
5 Principal Associate Deputy Attorney General for Com-
6 bating Terrorism: *Provided further*, That \$10,750,000 is
7 designated by the Congress as an emergency requirement
8 pursuant to section 251(b)(2)(A) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985, as amended.

10 In addition, for the Office of Domestic Preparedness
11 to respond to the September 11, 2001, terrorist attacks
12 on the United States, \$173,800,000, to remain available
13 until expended, for grants, cooperative agreements, and
14 other assistance authorized by sections 819 and 821 of
15 the Antiterrorism and Effective Death Penalty Act of
16 1996 and sections 1014, 1015, and 1016 of the USA PA-
17 TRIOT ACT (Public Law 107–56), and for other
18 counterterrorism programs: *Provided*, That no funds
19 under this heading shall be used to duplicate the Federal
20 Emergency Management Agency Fire Grant program:
21 *Provided further*, That the entire amount is designated by
22 the Congress as an emergency requirement pursuant to
23 section 251(b)(2)(A) of the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985, as amended.

LEGAL ACTIVITIES

3 For an additional amount for “Salaries and Ex-
4 penses” for courtroom technology, \$5,200,000: *Provided*,
5 That the entire amount is designated by the Congress as
6 an emergency requirement pursuant to section
7 251(b)(2)(A) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, as amended.

10 (RESCISSION)

13 SALARIES AND EXPENSES, UNITED STATES MARSHALS

15 (RESCISSION)

18 ANTI-TERRORISM TASK FORCES

24 JOINT TERRORISM TASK FORCES

1 ment, and facilities, \$113,235,000, to be derived from the
 2 amounts made available for this purpose in Public Law
 3 107–77 and Public Law 107–117.

4 FOREIGN TERRORIST TRACKING TASK FORCES

5 For expenses necessary for Foreign Terrorist Track-
 6 ing Task Forces, including salaries and expenses, oper-
 7 ations, equipment, and facilities, \$10,000,000, to be de-
 8 rived from the amounts made available for this purpose
 9 in Public Law 107–77 and Public Law 107–117.

10 FEDERAL BUREAU OF INVESTIGATION

11 SALARIES AND EXPENSES

12 For an additional amount for “Salaries and Ex-
 13 penses” for emergency expenses resulting from the Sep-
 14 tember 11, 2001, terrorist attacks, \$75,500,000, of which
 15 \$50,500,000 is for a cyber-security initiative: *Provided*,
 16 That the entire amount is designated by the Congress as
 17 an emergency requirement pursuant to section
 18 251(b)(2)(A) of the Balanced Budget and Emergency
 19 Deficit Control Act of 1985, as amended.

20 DRUG ENFORCEMENT ADMINISTRATION

21 VIOLENT CRIME REDUCTION PROGRAMS

22 (RESCISSION)

23 Of the amounts made available under this heading
 24 in prior fiscal years, \$13,000,000 are rescinded.

1 IMMIGRATION AND NATURALIZATION SERVICE

2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-
4 penses” for fleet management, \$35,000,000: *Provided*,
5 That the entire amount is designated by the Congress as
6 an emergency requirement pursuant to section
7 251(b)(2)(A) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, as amended.

9 CONSTRUCTION

10 For an additional amount for “Construction” for
11 emergency expenses resulting from the September 11,
12 2001, terrorist attacks, \$84,000,000: *Provided*, That the
13 entire amount is designated by the Congress as an emer-
14 gency requirement pursuant to section 251(b)(2)(A) of the
15 Balanced Budget and Emergency Deficit Control Act of
16 1985, as amended.

17 FEDERAL PRISON SYSTEM

18 BUILDINGS AND FACILITIES

19 (RESCISSION)

20 Of the amounts made available under this heading
21 in Public Law 107–77 for buildings and facilities,
22 \$30,000,000 are rescinded.

23 OFFICE OF JUSTICE PROGRAMS

24 ELECTION REFORM GRANT PROGRAM

25 For an amount to establish the Election Reform
26 Grant Program, to provide assistance to States and local-

ities in improving election technology and the administration of federal elections, \$450,000,000, to remain available until expended: *Provided*, That such amount shall not be available for obligation until the enactment of legislation that establishes programs for improving the administration of elections.

JUSTICE ASSISTANCE

(RESCISSION)

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

COMMUNITY ORIENTED POLICING SERVICES

For an amount to establish the Community Oriented Policing Services' Interoperable Communications Technology Program, for emergency expenses for activities related to combating terrorism by providing grants to States and localities to improve communications within, and among, law enforcement agencies, \$85,000,000, 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.

1 DEPARTMENT OF COMMERCE AND RELATED
2 AGENCIES

3 DEPARTMENT OF COMMERCE
4 INTERNATIONAL TRADE ADMINISTRATION
5 OPERATIONS AND ADMINISTRATION

6 For an additional amount for “Operations and Ad-
7 ministration” for emergency expenses resulting from new
8 homeland security activities, \$1,725,000: *Provided*, That
9 the entire amount is designated by the Congress as an
10 emergency requirement pursuant to section 251(b)(2)(A)
11 of the Balanced Budget and Emergency Deficit Control
12 Act of 1985, as amended.

13 EXPORT ADMINISTRATION
14 OPERATIONS AND ADMINISTRATION

15 For an additional amount for “Operations and Ad-
16 ministration” for emergency expenses resulting from new
17 homeland security activities, \$8,700,000: *Provided*, That,
18 of the funds appropriated under this heading, such sums
19 as are necessary may be transferred to, and merged with,
20 any appropriations account to develop and implement se-
21 cure connectivity between Federal agencies and the Execu-
22 tive Office of the President: *Provided further*, That the en-
23 tire amount is designated by the Congress as an emer-
24 gency requirement pursuant to section 251(b)(2)(A) of the

1 Balanced Budget and Emergency Deficit Control Act of
2 1985, as amended.

3 BUREAU OF THE CENSUS

4 PERIODIC CENSUSES AND PROGRAMS

5 (RESCISSION)

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

9 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

10 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

11 For an additional amount for “Scientific and Tech-
12 nical Research and Services” for emergency expenses re-
13 sulting from new homeland security activities and in-
14 creased security requirements, \$84,600,000, of which
15 \$40,000,000 is for a cyber-security initiative: *Provided*,
16 That the entire amount is designated by the Congress as
17 an emergency requirement pursuant to section
18 251(b)(2)(A) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985, as amended.

20 NATIONAL OCEANIC AND ATMOSPHERIC

21 ADMINISTRATION

22 OPERATIONS, RESEARCH, AND FACILITIES

23 For an additional amount for “Operations, Research,
24 and Facilities” for emergency expenses resulting from
25 homeland security activities, \$29,200,000, of which
26 \$23,400,000 is to address critical mapping and charting

(INCLUDING RESCISSION)

For an additional amount for “Procurement, Acquisition 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 Emergency Deficit Control Act of 1985, as amended.

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

Funds provided under the heading, “Fisheries Finance Program Account”, National Oceanic and Atmospheric Administration, Department of Commerce, for the

1 direct loan program authorized by the Merchant Marine
 2 Act of 1936, as amended, are available to subsidize gross
 3 obligations for the principal amount of direct loans not
 4 to exceed \$5,000,000 for Individual Fishing Quota loans,
 5 and not to exceed \$19,000,000 for Traditional loans.

6 DEPARTMENTAL MANAGEMENT

7 SALARIES AND EXPENSES

8 For an additional amount for “Salaries and Ex-
 9 penses” for emergency expenses resulting from new home-
 10 land security activities, \$400,000: *Provided*, That the en-
 11 tire amount is designated by the Congress as an emer-
 12 gency requirement pursuant to section 251(b)(2)(A) of the
 13 Balanced Budget and Emergency Deficit Control Act of
 14 1985, as amended.

15 THE JUDICIARY

16 SUPREME COURT OF THE UNITED STATES

17 CARE OF THE BUILDING AND GROUNDS

18 For an additional amount for “Care of the Building
 19 and Grounds” for emergency expenses for security up-
 20 grades and renovations of the Supreme Court building,
 21 \$10,000,000: *Provided*, That the entire amount is des-
 22 ignated by the Congress as an emergency requirement
 23 pursuant to section 251(b)(2)(A) of the Balanced Budget
 24 and Emergency Deficit Control Act of 1985, as amended.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES

4 For an additional amount for “Salaries and Ex-
5 penses” for emergency expenses to enhance security and
6 to provide for extraordinary trial related costs,
7 \$9,684,000, to remain available until expended: *Provided*,
8 That the entire amount is designated by the Congress as
9 an emergency requirement pursuant to section
10 251(b)(2)(A) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985, as amended.

12 DEPARTMENT OF STATE AND RELATED
13 AGENCY

14 DEPARTMENT OF STATE
15 ADMINISTRATION OF FOREIGN AFFAIRS
16 DIPLOMATIC AND CONSULAR PROGRAMS

17 For an additional amount for “Diplomatic and Con-
18 sular Programs,” for emergency expenses for activities re-
19 lated to combating international terrorism, \$38,300,000,
20 of which \$20,300,000 shall remain available until Sep-
21 tember 30, 2003: *Provided*, That funds appropriated by
22 this paragraph shall be available notwithstanding section
23 15 of the State Department Basic Authorities Act of
24 1956, as amended: *Provided further*, That the entire
25 amount is designated by the Congress as an emergency

1 requirement pursuant to section 251(b)(2)(A) of the Bal-
 2 anced Budget and Emergency Deficit Control Act of 1985,
 3 as amended.

4 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

5 For an additional amount for “Educational and Cul-
 6 tural Exchange Programs”, for emergency expenses for
 7 activities related to combating international terrorism,
 8 \$9,000,000: *Provided*, That funds appropriated by this
 9 paragraph shall be available notwithstanding section 15
 10 of the State Department Basic Authorities Act of 1956,
 11 as amended: *Provided further*, That the entire amount is
 12 designated by the Congress as an emergency requirement
 13 pursuant to section 251(b)(2)(A) of the Balanced Budget
 14 and Emergency Deficit Control Act of 1985, as amended.

15 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

16 For an additional amount for “Embassy Security,
 17 Construction, and Maintenance”, for emergency expenses
 18 for activities related to combating international terrorism,
 19 \$210,516,000, to remain available until expended: *Pro-*
 20 *vided*, That \$210,516,000 shall be available notwith-
 21 standing section 15 of the State Department Basic Au-
 22 thorities Act of 1956, as amended: *Provided further*, That
 23 the entire amount is designated by the Congress as an
 24 emergency requirement pursuant to section 251(b)(2)(A)
 25 of the Balanced Budget and Emergency Deficit Control
 26 Act of 1985, as amended.

1 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

2 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

3 For an additional amount for “Contributions to
 4 International Organizations”, for emergency expenses for
 5 activities related to combating international terrorism,
 6 \$7,000,000, to remain available until September 30, 2003:
 7 *Provided*, That funds appropriated by this paragraph shall
 8 be available notwithstanding section 15 of the State De-
 9 partment Basic Authorities Act of 1956, as amended: *Pro-*
 10 *vided further*, That the entire amount is designated by the
 11 Congress as an emergency requirement pursuant to sec-
 12 tion 251(b)(2)(A) of the Balanced Budget and Emergency
 13 Deficit Control Act of 1985, as amended.

14 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

15 ACTIVITIES

16 (RESCISSION)

17 Of the amounts made available under this heading,
 18 \$35,000,000 are rescinded from prior year appropriations.

19 RELATED AGENCY

20 BROADCASTING BOARD OF GOVERNORS

21 INTERNATIONAL BROADCASTING OPERATIONS

22 For an additional amount for “International Broad-
 23 casting Operations”, for emergency expenses for activities
 24 related to combating international terrorism, \$7,400,000,
 25 to remain available until September 30, 2003: *Provided*,
 26 That funds appropriated by this paragraph shall be avail-

1 able notwithstanding section 15 of the State Department
 2 Basic Authorities Act of 1956, as amended: *Provided fur-*
 3 *ther*, That the entire amount is designated by the Congress
 4 as an emergency requirement pursuant to section
 5 251(b)(2)(A) of the Balanced Budget and Emergency
 6 Deficit Control Act of 1985, as amended.

7 RELATED AGENCIES

8 SECURITIES AND EXCHANGE COMMISSION

9 SALARIES AND EXPENSES

10 For an additional amount for “Salaries and Ex-
 11 penses” to respond to the September 11, 2001, terrorist
 12 attacks on the United States and for other purposes,
 13 \$29,300,000, to remain available until expended: *Pro-*
 14 *vided*, That \$9,300,000 is designated by the Congress as
 15 an emergency requirement pursuant to section
 16 251(b)(2)(A) of the Balanced Budget and Emergency
 17 Deficit Control Act of 1985, as amended.

18 GENERAL PROVISIONS, THIS CHAPTER

19 SEC. 201. Title II of Public Law 107–77 is amended
 20 in the second undesignated paragraph under the heading
 21 “Department of Commerce, National Institute of Stand-
 22 ards and Technology, Industrial Technology Services” by
 23 striking “not to exceed \$60,700,000 shall be available for
 24 the award of new grants” and inserting “not less than

1 \$60,700,000 shall be used before October 1, 2002 for the
2 award of new grants”.

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

9 SEC. 203. (a) Section 504 of title 28, United States
10 Code, is amended by inserting after “General” the fol-
11 lowing: “and a Principal Associate Deputy Attorney Gen-
12 eral for Combating Terrorism”.

13 (b) The Section heading for section 504 of title 28,
14 United States Code, is amended by inserting after “Gen-
15 eral” the following: “and Principal Associate Deputy At-
16 torney General for Combating Terrorism”.

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

21 (1) serve as the principal adviser to the Attor-
22 ney General and the Deputy Attorney General for
23 combating terrorism, counterterrorism, and
24 antiterrorism policy;

1 (2) have responsibility for coordinating all func-
2 tions within the Department of Justice relating to
3 combating domestic terrorism, subject to paragraph
4 (5), including—

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

8 (B) State and local preparedness for ter-
9 rorist events;

10 (C) contingency operations within the De-
11 partment of Justice; and

12 (D) critical infrastructure;

13 (3) coordinate—

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

20 (B) the implementation of the Department
21 of Justice's strategy for combating terrorism by
22 State and local law enforcement with respon-
23 sibilities for combating domestic terrorism;

24 (4) recommend changes in the organization and
25 management of the Department of Justice and State

1 and local entities engaged in combating domestic
2 terrorism to the Attorney General and Deputy At-
3 torney General; and

4 (5) serve in an advisory capacity to the Attor-
5 ney General and Deputy Attorney General on mat-
6 ters pertaining to the allocation of resources for
7 combating terrorism.

8 (d) The allocation of resources for combating ter-
9 rorism shall remain under the purview of the current Dep-
10 uty Attorney General. Any changes in the allocation of re-
11 sources will continue to be approved by the current Deputy
12 Attorney General using the current procedures of the De-
13 partment of Justice.

14 (e) Effective upon enactment of this Act, there is
15 transferred to the Principal Associate Deputy Attorney
16 General for Combating Terrorism all authorities, liabil-
17 ities, funding, personnel, equipment, and real property em-
18 ployed or used by, or associated with, the Office of Domes-
19 tic Preparedness, the National Domestic Preparedness Of-
20 fice, the Executive Office of National Security, and such
21 appropriate components of the Office of Intelligence Policy
22 and Review and the National Institute of Justice as relate
23 to combating terrorism, counterterrorism, and
24 antiterrorism activities.

1 SEC. 204. Public Law 106–256 is amended in section
2 3(f)(1) by striking “18” and inserting “29”.

3 SEC. 205. The American Section, International Joint
4 Commission, United States and Canada, is authorized to
5 receive funds from the United States Army Corps of Engi-
6 neers for the purposes of conducting investigations, under-
7 taking studies, and preparing reports in connection with
8 a reference to the International Joint Commission on the
9 Devils Lake project mentioned in Public Law 106–377.

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

12 “(D) in the case of wild fish, is—

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

19 “(ii) processed in the United States, a
20 territory of the United States, or a State,
21 including the waters thereof, or aboard a
22 vessel that is documented under chapter
23 121 of title 46, United States Code, or
24 registered in the United States; and”.

1 SEC. 207. Of the amounts appropriated in Public
2 Law 107–77, under the heading “Department of Com-
3 merce, National Oceanic and Atmospheric Administration,
4 Operations, Research, and Facilities”, for coral reef pro-
5 grams, \$2,500,000, for a cooperative agreement with the
6 National Defense Center of Excellence for Research in
7 Ocean Sciences to conduct coral mapping in the waters
8 of the Hawaiian Islands and the surrounding Exclusive
9 Economic Zone in accordance with the mapping imple-
10 mentation strategy of the United States Coral Reef Task
11 Force.

12 SEC. 208. In addition to amounts appropriated or
13 otherwise made available by this Act or any other Act,
14 \$11,000,000 is appropriated to enable the Secretary of
15 Commerce to provide economic assistance to fishermen
16 and fishing communities affected by Federal closures and
17 fishing restrictions in the New England groundfish fish-
18 ery, to remain available until September 30, 2003.

19 SEC. 209. In addition to amounts appropriated or
20 otherwise made available by this Act or any other Act,
21 \$5,000,000 shall be provided to enable the Secretary of
22 Commerce to provide for direct economic assistance to
23 fishermen and fishing communities, affected by Federal
24 Court ordered management measures in the Northeast
25 multispecies fishery, to remain available until September

1 30, 2003: *Provided*, That these amounts shall be used to
 2 support port security and related coastal activities admin-
 3 istered by the National Oceanic and Atmospheric Adminis-
 4 tration, the Coast Guard, or an affected state.

5 CHAPTER 3

6 DEPARTMENT OF DEFENSE

7 MILITARY PERSONNEL

8 MILITARY PERSONNEL, AIR FORCE

9 For an additional amount for “Military Personnel,
 10 Air Force”, \$206,000,000: *Provided*, That the entire
 11 amount is designated by the Congress as an emergency
 12 requirement pursuant to section 251(b)(2)(A) of the Bal-
 13 anced Budget and Emergency Deficit Control Act of 1985,
 14 as amended.

15 OPERATION AND MAINTENANCE

16 DEFENSE EMERGENCY RESPONSE FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For an additional amount for the “Defense Emer-
 19 gency Response Fund”, \$11,300,000,000, of which
 20 \$77,900,000 shall be available for enhancements to North
 21 American Air Defense Command capabilities: *Provided*,
 22 That the entire amount is designated by the Congress as
 23 an emergency requirement pursuant to section
 24 251(b)(2)(A) of the Balanced Budget and Emergency
 25 Deficit Control Act of 1985, as amended: *Provided further*,

1 That the Secretary of Defense may transfer the funds pro-
 2 vided herein only to appropriations for military personnel;
 3 operation and maintenance; procurement; research, devel-
 4 opment, test and evaluation; military construction; the De-
 5 fense Health Program; and working capital funds: *Pro-*
 6 *vided further*, That the funds transferred shall be merged
 7 with and shall be available for the same purposes and for
 8 the same time period as the appropriation to which trans-
 9 ferred: *Provided further*, That the transfer authority pro-
 10 vided in this paragraph is in addition to any other transfer
 11 authority available to the Department of Defense: *Pro-*
 12 *vided further*, That upon a determination that all or part
 13 of the funds transferred from this appropriation are not
 14 necessary for the purposes provided herein, such amounts
 15 may be transferred back to this appropriation.

16 OPERATION AND MAINTENANCE, ARMY

17 For an additional amount for “Operation and Main-
 18 tenance, Army”, \$107,000,000: *Provided*, That the entire
 19 amount is designated by the Congress as an emergency
 20 requirement pursuant to section 251(b)(2)(A) of the Bal-
 21 anced Budget and Emergency Deficit Control Act of 1985,
 22 as amended.

23 OPERATION AND MAINTENANCE, NAVY

24 For an additional amount for “Operation and Main-
 25 tenance, Navy”, \$36,500,000: *Provided*, That the entire

1 amount is designated by the Congress as an emergency
 2 requirement pursuant to section 251(b)(2)(A) of the Bal-
 3 anced Budget and Emergency Deficit Control Act of 1985,
 4 as amended.

5 OPERATION AND MAINTENANCE, AIR FORCE

6 For an additional amount for “Operation and Main-
 7 tenance, Air Force”, \$41,000,000: *Provided*, That the en-
 8 tire amount is designated by the Congress as an emer-
 9 gency requirement pursuant to section 251(b)(2)(A) of the
 10 Balanced Budget and Emergency Deficit Control Act of
 11 1985, as amended.

12 OPERATION AND MAINTENANCE, DEFENSE-WIDE

13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for “Operation and Main-
 15 tenance, Defense-wide”, \$739,000,000, of which
 16 \$420,000,000 may be used for payments to Pakistan, Jor-
 17 dan, the Philippines, and other key cooperating nations
 18 for logistical and military support provided to United
 19 States military operations in connection with United
 20 States efforts to prevent or respond to acts of inter-
 21 national terrorism: *Provided*, That such amount shall be
 22 transferred to, and merged with, funds appropriated in
 23 Public Law 107–115 under the heading “Foreign Military
 24 Financing Program” within 30 days of enactment: *Pro-*
 25 *vided further*, That such payments may be made in such

1 amounts as the Secretary of State determines, after con-
 2 sultation with the Secretary of Defense and the Director
 3 of the Office of Management and Budget: *Provided fur-*
 4 *ther*, That such determination shall be final and conclusive
 5 upon the accounting officers of the United States: *Pro-*
 6 *vided further*, That of the funds appropriated by this para-
 7 graph, not less than \$50,000,000 shall be made available
 8 for the Philippines: *Provided further*, That amounts for
 9 such payments shall be in addition to any other funds that
 10 may be available for such purpose: *Provided further*, That
 11 the entire amount is designated by the Congress as an
 12 emergency requirement pursuant to section 251(b)(2)(A)
 13 of the Balanced Budget and Emergency Deficit Control
 14 Act of 1985, as amended: *Provided further*, That funds
 15 made available by this paragraph shall be subject to the
 16 regular notification procedures of the Committees on Ap-
 17 propriations.

18 PROCUREMENT

19 OTHER PROCUREMENT, ARMY

20 For an additional amount for “Other Procurement,
 21 Army”, \$79,200,000: *Provided*, That the entire amount
 22 is designated by the Congress as an emergency require-
 23 ment pursuant to section 251(b)(2)(A) of the Balanced
 24 Budget and Emergency Deficit Control Act of 1985, as
 25 amended.

1 AIRCRAFT PROCUREMENT, NAVY

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

7 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
8 CORPS

9 For an additional amount for “Procurement of Am-
10 munition, Navy and Marine Corps”, \$262,000,000: *Pro-
11 vided*, That the entire amount is designated by the Con-
12 gress as an emergency requirement pursuant to section
13 251(b)(2)(A) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985, as amended.

15 OTHER PROCUREMENT, NAVY

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

21 PROCUREMENT, MARINE CORPS

22 For an additional amount for “Procurement, Marine
23 Corps”, \$3,500,000: *Provided*, That the entire amount is
24 designated by the Congress as an emergency requirement

1 pursuant to section 251(b)(2)(A) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985, as amended.

3 AIRCRAFT PROCUREMENT, AIR FORCE

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

10 PROCUREMENT OF AMMUNITION, AIR FORCE

11 For an additional amount for “Procurement of Am-
12 munition, Air Force”, \$115,000,000: *Provided*, That the
13 entire amount is designated by the Congress as an emer-
14 gency requirement pursuant to section 251(b)(2)(A) of the
15 Balanced Budget and Emergency Deficit Control Act of
16 1985, as amended.

17 OTHER PROCUREMENT, AIR FORCE

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

1 PROCUREMENT, DEFENSE-WIDE

2 For an additional amount for “Procurement, De-
 3 fense-wide”, \$99,500,000: *Provided*, That the entire
 4 amount is designated by the Congress as an emergency
 5 requirement pursuant to section 251(b)(2)(A) of the Bal-
 6 anced Budget and Emergency Deficit Control Act of 1985,
 7 as amended.

8 RESEARCH, DEVELOPMENT, TEST AND
 9 EVALUATION

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 11 ARMY

12 For an additional amount for “Research, Develop-
 13 ment, Test and Evaluation, Army”, \$8,200,000: *Provided*,
 14 That the entire amount is designated by the Congress as
 15 an emergency requirement pursuant to section
 16 251(b)(2)(A) of the Balanced Budget and Emergency
 17 Deficit Control Act of 1985, as amended.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 19 NAVY

20 For an additional amount for “Research, Develop-
 21 ment, Test and Evaluation, Navy”, \$19,000,000: *Pro-*
 22 *vided*, That the entire amount is designated by the Con-
 23 gress as an emergency requirement pursuant to section
 24 251(b)(2)(A) of the Balanced Budget and Emergency
 25 Deficit Control Act of 1985, as amended.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 AIR FORCE

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Air Force”, \$60,800,000: *Pro-*
5 *vided*, That the entire amount is designated by the Con-
6 gress as an emergency requirement pursuant to section
7 251(b)(2)(A) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, as amended.

9 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
10 DEFENSE-WIDE

11 For an additional amount for “Research, Develop-
12 ment, Test and Evaluation, Defense-wide”, \$74,700,000:
13 *Provided*, That the entire amount is designated by the
14 Congress as an emergency requirement pursuant to sec-
15 tion 251(b)(2)(A) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985, as amended.

17 GENERAL PROVISIONS, THIS CHAPTER

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

1 (b) The amendment made by subsection (a) shall be
2 effective as if enacted as part of the Department of De-
3 fense Appropriations Act, 2002.

4 SEC. 302. (a) AVAILABILITY OF AMOUNTS FOR MILI-
5 TARY CONSTRUCTION RELATING TO TERRORISM.—
6 Amounts made available to the Department of Defense
7 from funds appropriated in this Act may be used to carry
8 out military construction projects, not otherwise author-
9 ized by law, that the Secretary of Defense determines are
10 necessary to respond to or protect against acts or threat-
11 ened acts of terrorism.

12 (b) NOTICE TO CONGRESS.—Not later than 15 days
13 before obligating amounts available under subsection (a)
14 for military construction projects referred to in that sub-
15 section, the Secretary shall notify the appropriate commit-
16 tees of Congress of the following:

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

19 (2) the estimated cost of the project and the ac-
20 companying Form 1391.

21 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
22 FINED.—In this section the term “appropriate committees
23 of Congress” has the meaning given that term in section
24 2801(4) of title 10, United States Code.

1 SEC. 303. Section 8052(b) of the Department of De-
2 fense Appropriations Act, 2002 (Public Law 107–117) is
3 amended by striking out “will reduce the personnel re-
4 quirements or financial requirements of the department”,
5 and inserting the following in lieu thereof, “either (1) will
6 reduce the personnel requirements or the financial require-
7 ments of the department, or (2) is necessary in response
8 to an emergency, including responding to direct threats
9 or incidents of terrorism”.

10 SEC. 304. Funds appropriated by this Act, or made
11 available by the transfer of funds in this Act, for intel-
12 ligence activities are deemed to be specifically authorized
13 by the Congress for purposes of section 504 of the Na-
14 tional Security Act of 1947 (50 U.S.C. 414): *Provided*,
15 That any funds appropriated or transferred to the Central
16 Intelligence Agency for agent operations or covert action
17 programs authorized by the President under section 503
18 of the National Security Act of 1947, as amended, shall
19 remain available until September 30, 2003.

20 SEC. 305. (a) Funds appropriated to the Department
21 of Defense for fiscal year 2002 for operation and mainte-
22 nance under the heading “Chemical Agents and Munitions
23 Destruction, Army”, may be used to pay for additional
24 costs of international inspectors from the Technical Secre-
25 tariat of the Organization for the Prohibition of Chemical

1 Weapons, pursuant to Articles IV and V of the Chemical
2 Weapons Convention, for inspections and monitoring of
3 Department of Defense sites and commercial sites that
4 perform services under contract to the Department of De-
5 fense, resulting from the Department of Defense's pro-
6 gram to accelerate its chemical demilitarization schedule.

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

9 (1) salary costs for performance of inspection
10 and monitoring duties;

11 (2) travel, including travel to and from the
12 point of entry into the United States and internal
13 United States travel;

14 (3) per diem, not to exceed United Nations
15 rates and in compliance with United Nations condi-
16 tions for per diem for that organization; and

17 (4) expenses for operation and maintenance of
18 inspection and monitoring equipment.

19 SEC. 306. During the current fiscal year, the restric-
20 tions contained in subsection (d) of 22 U.S.C. 5952 and
21 section 502 of the Freedom Support Act (Public Law
22 102–511) shall not apply if the President certifies in writ-
23 ing to the Speaker of the House of Representatives and
24 the President pro tempore of the Senate that waiving such

1 restrictions is important to the national security interests
 2 of the United States.

3 CHAPTER 4

4 DISTRICT OF COLUMBIA

5 FEDERAL FUNDS

6 FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL

7 MEDICAL CENTER

8 For a Federal payment to the Children's National
 9 Medical Center in the District of Columbia for imple-
 10 menting the District Emergency Operations Plan,
 11 \$13,770,000, to remain available until September 30,
 12 2003, of which \$11,700,000 is for the expansion of quar-
 13 antine facilities, and \$2,070,000 is for the establishment
 14 of a decontamination facility for children and families:
 15 *Provided*, That the entire amount is designated by the
 16 Congress as an emergency requirement pursuant to sec-
 17 tion 251(b)(2)(A) of the Balanced Budget and Emergency
 18 Deficit Control Act of 1985, as amended.

19 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

20 For a Federal payment to the District of Columbia
 21 to implement the District Emergency Operations Plan,
 22 \$24,730,000, to remain available until December 1, 2003,
 23 of which \$14,730,000 is for public safety expenses related
 24 to national special security events in the District of Co-
 25 lumbia and \$10,000,000 is for the construction of Con-

1 tainment Facilities to support the regional Bioterrorism
 2 Hospital Preparedness Program: *Provided*, That the entire
 3 amount is designated by the Congress as an emergency
 4 requirement pursuant to section 251(b)(2)(A) of the Bal-
 5 anced Budget and Emergency Deficit Control Act of 1985,
 6 as amended.

7 FEDERAL PAYMENT TO THE WASHINGTON

8 METROPOLITAN AREA TRANSIT AUTHORITY

9 For a Federal payment to the Washington Metropoli-
 10 tan Area Transit Authority, \$25,000,000, to remain avail-
 11 able until December 1, 2003, to contribute to the creation
 12 of a regional transportation back-up operations control
 13 center: *Provided*, That the entire amount is designated by
 14 the Congress as an emergency requirement pursuant to
 15 section 251(b)(2)(A) of the Balanced Budget and Emer-
 16 gency Deficit Control Act of 1985, as amended.

17 FEDERAL PAYMENT TO THE METROPOLITAN

18 WASHINGTON COUNCIL OF GOVERNMENTS

19 For a Federal payment to the Metropolitan Wash-
 20 ington Council of Governments, \$1,750,000, to remain
 21 available until September 30, 2003, for support of the Re-
 22 gional Incident Communication and Coordination System,
 23 as approved by the Council: *Provided*, That the entire
 24 amount is designated by the Congress as an emergency
 25 requirement pursuant to section 251(b)(2)(A) of the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985,
2 as amended.

3 FEDERAL PAYMENT TO THE WATER AND SEWER

4 AUTHORITY OF THE DISTRICT OF COLUMBIA

5 For a Federal payment to the Water and Sewer Au-
6 thority of the District of Columbia for emergency pre-
7 paredness, \$3,000,000, to remain available until Sep-
8 tember 30, 2003, of which \$250,000 shall be for securing
9 fire hydrants and manholes to prevent unauthorized entry,
10 \$150,000 is to upgrade the hydraulic model, \$1,800,000
11 is for remote monitoring of water quality, \$700,000 is for
12 design and construction of ventilation system improve-
13 ments, and \$100,000 is to create an Incident Response
14 Plan: *Provided*, That the Water and Sewer Authority of
15 the District of Columbia may reprogram up to \$120,000
16 between the activities specified under this heading if it no-
17 tifies in writing the Committees on Appropriations of the
18 House of Representatives and the Senate thirty days in
19 advance of the reprogramming: *Provided further*, That the
20 entire amount is designated by the Congress as an emer-
21 gency requirement pursuant to section 251(b)(2)(A) of the
22 Balanced Budget and Emergency Deficit Control Act of
23 1985, as amended.

1 DISTRICT OF COLUMBIA FUNDS
2 OPERATING EXPENSES
3 PUBLIC EDUCATION SYSTEM
4 (RESCISSION)

5 Notwithstanding any other provision of law, of the
6 local funds appropriated under this heading for public
7 charter schools for the fiscal year ending September 30,
8 2002 in the District of Columbia Appropriations Act,
9 2002, approved December 21, 2001 (Public Law 107–96),
10 \$37,000,000 are rescinded.

11 HUMAN SUPPORT SERVICES

12 For an additional amount for “Human Support Serv-
13 ices”, \$37,000,000 from local funds: *Provided*, That
14 \$11,000,000 shall be for the Child and Family Services
15 Agency to address increased adoption case rates, higher
16 case loads for adoption and emergency group home utiliza-
17 tion: *Provided further*, That \$26,000,000 shall be for the
18 Department of Mental Health to address a Medicaid rev-
19 enue shortfall.

20 PUBLIC SAFETY AND JUSTICE
21 (RESCISSION)

22 Notwithstanding any other provision of law, of the
23 local funds appropriated under this heading to the Depart-
24 ment of Corrections for support of the Corrections Infor-

1 mation Council in the District of Columbia Appropriations
2 Act, 2002 (Public Law 107–96), \$100,000 are rescinded.

3 CORRECTIONS INFORMATION COUNCIL

4 For operations of the Corrections Information Coun-
5 cil, \$100,000 from local funds.

6 GOVERNMENTAL DIRECTION AND SUPPORT

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

18 REPAYMENT OF LOANS AND INTEREST

19 (RESCISSION)

20 Of the funds appropriated under this heading for the
21 fiscal year ending September 30, 2002 in the District of
22 Columbia Appropriations Act, 2002, approved December
23 21, 2001 (Public Law 107–96), \$7,950,000 are rescinded.

24 The paragraph under this heading is amended by
25 striking: “*Provided*, That any funds set aside pursuant to

1 section 148 of the District of Columbia Appropriations
2 Act, 2000 (Public Law 106–113; 113 Stat. 1523) that are
3 not used in the reserve funds established herein shall be
4 used for Pay-As-You-Go Capital Funds:” and inserting:
5 “*Provided*, That any funds set aside pursuant to section
6 148 of the District of Columbia Appropriations Act, 2000
7 (Public Law 106–113; 113 Stat. 1523) that are not used
8 in the reserve funds established herein shall be used for
9 Pay-As-You-Go Capital Funds upon certification by the
10 Chief Financial Officer of the District of Columbia that
11 the funds are available and are not required to address
12 potential deficits: *Provided further*, That of those funds
13 necessary to address potential deficits, no funds shall be
14 obligated or expended except in accordance with the fol-
15 lowing conditions:

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

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

22 “(3) the amounts may be obligated or expended
23 only if the Mayor notifies the Committees on Appro-
24 priations of the House of Representatives and Sen-

1 ate in writing 30 days in advance of any obligation
 2 or expenditure; and

3 “(4) amounts made available to address poten-
 4 tial deficits shall remain available until expended:”.

5 CERTIFICATES OF PARTICIPATION

6 For principal and interest payments on the District’s
 7 Certificates of Participation, issued to finance the facility
 8 underlying the building located at One Judiciary Square,
 9 \$7,950,000 from local funds.

10 GENERAL PROVISIONS, THIS CHAPTER

11 SEC. 401. The District of Columbia may use up to
 12 1 percent of the funds appropriated to the District of Co-
 13 lumbia under the Emergency Supplemental Act, 2002, to
 14 fund the necessary administrative costs to carry out that
 15 Act, effective January 10, 2002.

16 SEC. 402. When the Mayor determines that it is in
 17 the best interest of the District, the Mayor may procure
 18 insurance for property damage and tort liability. In addi-
 19 tion, when the Chief Financial Officer determines that it
 20 is in the best interest of the District, the Chief Financial
 21 Officer may procure insurance subject to his independent
 22 procurement authority or otherwise recommend the pro-
 23 curement of insurance for financial losses resulting from
 24 misfeasance or malfeasance.

1 SEC. 403. CRIME VICTIMS COMPENSATION FUND.

2 Section 16(d)(2) of the Victims of Violent Crime Com-
3 pensation Act of 1996 (D.C. Official Code 4–515(d)(1)),
4 as amended by the Fiscal Year 2002 District of Columbia
5 Appropriations Act, Public Law 107–96, is amended to
6 read as follows:

7 “(2) 50 percent of such balance shall be trans-
8 ferred from the Fund to the executive branch of the
9 District government and shall be used without fiscal
10 year limitation for outreach activities designed to in-
11 crease the number of crime victims who apply for
12 such direct compensation payments.”.

13 SEC. 404. WASHINGTON METROPOLITAN AREA

14 TRANSIT AUTHORITY REPROGRAMMING. The Chief Finan-

15 cial Officer of the Washington Metropolitan Area Transit

16 Authority may use up to \$2,400,000 from funds appro-

17 priated under Public Law 107–117 under the account,

18 “Federal Payment to the Washington Metropolitan Area

19 Transit Authority”, that contains funds for protective

20 clothing and breathing apparatus activities, for employee

21 and facility security and completion of the fiber optic net-

22 work project.

23 SEC. 405. TRANSFER AUTHORITY FOR THE DIS-

24 TRICT OF COLUMBIA COURTS. The District of Columbia

25 Courts may expend up to \$12,500,000 to carry out the

1 District of Columbia Family Court Act of 2001 from the
 2 “Federal Payment to the District of Columbia Courts” ac-
 3 count: *Provided*, That such funds may be transferred to
 4 the “Federal Payment to the District of Columbia Courts”
 5 account from the “Federal Payment for Family Court
 6 Act” account in reimbursement for such obligations and
 7 expenditures as are necessary to implement the District
 8 of Columbia Family Court Act of 2001 for the period from
 9 October 1, 2001 to September 30, 2002, once funds in
 10 the “Federal Payment for Family Court Act” account be-
 11 come available.

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

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

24 (b) Under the heading, “Federal Payment to South-
 25 eastern University” provided under Public Law 107–96,

1 strike everything after “a public/private partnership” and
 2 insert in lieu thereof, “to plan a two year associate degree
 3 program.”.

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

8 “SEC. 119. ACCEPTANCE AND USE OF GRANTS NOT
 9 INCLUDED IN CEILING. (a) IN GENERAL.—Notwith-
 10 standing any other provision of this Act, the Mayor, in
 11 consultation with the Chief Financial Officer, may accept,
 12 obligate, and expend Federal, private, and other grants
 13 received by the District government that are not reflected
 14 in the amounts appropriated in this Act.

15 “(b) REQUIREMENT OF CHIEF FINANCIAL OFFICER
 16 REPORT AND COUNCIL APPROVAL.—No such Federal,
 17 private, or other grant may be accepted, obligated, or ex-
 18 pended pursuant to subsection (a) until—

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

22 “(2) the Council has reviewed and approved the
 23 acceptance, obligation, and expenditure of such
 24 grant. Within 14 calendar days of receipt of the re-
 25 port submitted under paragraph (1) the Council

1 shall be deemed to have provided such approval if no
2 written notice of disapproval is filed with the Sec-
3 retary to the Council within 14 calendar days of the
4 receipt of the report from the Chief Financial Offi-
5 cer, and no oral notice of disapproval is given during
6 a meeting of the Council during such 14 calendar
7 day period. If notice of disapproval is given during
8 such initial 14 calendar day period, the Council may
9 approve or disapprove the acceptance, obligation or
10 expenditure of the grant by resolution within 30 cal-
11 endar days of the initial receipt of the report from
12 the Chief Financial Officer, or such certification
13 shall be deemed to be approved.

14 “(c) PROHIBITION ON SPENDING IN ANTICIPATION
15 OF APPROVAL OR RECEIPT.—No amount may be obli-
16 gated or expended from the general fund or other funds
17 of the District government in anticipation of the approval
18 or receipt of a grant under subsection (a) or in anticipa-
19 tion of the approval or receipt of a Federal, private, or
20 other grant not subject to these provisions.

21 “(d) QUARTERLY REPORTS.—The Chief Financial
22 Officer of the District of Columbia shall prepare a quar-
23 terly report setting forth detailed information regarding
24 all Federal, private, and other grants subject to these pro-
25 visions. Each such report shall be submitted to the Council

1 of the District of Columbia, and to the Committees on Ap-
 2 propriations of the House of Representatives and the Sen-
 3 ate, not later than 15 days after the end of the quarter
 4 covered by the report.”.

5 SEC. 409. The authority which the Chief Financial
 6 Officer of the District of Columbia exercised with respect
 7 to personnel, procurement, and the preparation of fiscal
 8 impact statements during a control period (as defined in
 9 Public Law 104–8) shall remain in effect through July
 10 1, 2003 or until such time as the District of Columbia
 11 Fiscal Integrity Act becomes effective, whichever occurs
 12 sooner.

13 CHAPTER 5

14 DEPARTMENT OF DEFENSE—CIVIL

15 DEPARTMENT OF THE ARMY

16 CORPS OF ENGINEERS—CIVIL

17 OPERATION AND MAINTENANCE, GENERAL

18 For an additional amount for “Operation and Main-
 19 tenance, General”, \$10,000,000, to remain available until
 20 expended: *Provided*, That using the funds appropriated
 21 herein, the Secretary of the Army, acting through the
 22 Chief of Engineers is directed to repair, restore, and clean-
 23 up Corps’ projects and facilities and dredge navigation
 24 channels, restore and clean out area streams, provide
 25 emergency streambank protection, restore other crucial

1 public infrastructure (including sewer and water facili-
 2 ties), document flood impacts and undertake other flood
 3 recovery efforts deemed necessary and advisable by the
 4 Chief of Engineers due to the May 2002 flooding in South-
 5 ern West Virginia, Eastern Kentucky and Southwestern
 6 Virginia.

7 For emergency expenses to respond to the September
 8 11, 2001, terrorist attacks on the United States, for
 9 “Flood Control, Mississippi River and Tributaries, Arkan-
 10 sas, Illinois, Kentucky, Louisiana, Mississippi, Missouri,
 11 and Tennessee”, \$6,500,000, to remain available until ex-
 12 pended, to be obligated from amounts made available in
 13 Public Law 107–117, Corps of Engineers—Civil, Oper-
 14 ations and Maintenance, General: *Provided*, That
 15 \$6,500,000 is designated by the Congress as an emer-
 16 gency requirement pursuant to section 251(b)(2)(A) of the
 17 Balanced Budget and Emergency Deficit Control Act of
 18 1985, as amended.

19 DEPARTMENT OF ENERGY

20 ATOMIC ENERGY DEFENSE ACTIVITIES

21 NATIONAL NUCLEAR SECURITY ADMINISTRATION

22 WEAPONS ACTIVITIES

23 For an additional amount for “Weapons Activities”
 24 for emergency expenses resulting from the September 11,
 25 2001, terrorist attacks, \$181,650,000: *Provided*, That the

1 entire amount is designated by the Congress as an emer-
 2 gency requirement pursuant to section 251(b)(2)(A) of the
 3 Balanced Budget and Emergency Deficit Control Act of
 4 1985, as amended.

5 DEFENSE NUCLEAR NONPROLIFERATION

6 For an additional amount for “Defense Nuclear Non-
 7 proliferation” for emergency activities necessary to sup-
 8 port the safeguarding of nuclear material internationally,
 9 \$100,000,000: *Provided*, That the entire amount is des-
 10 ignated by the Congress as an emergency requirement
 11 pursuant to section 251(b)(2)(A) of the Balanced Budget
 12 and Emergency Deficit Control Act of 1985, as amended.

13 OFFICE OF THE ADMINISTRATOR

14 For an additional amount for “Office of the Adminis-
 15 trator” for emergency expenses resulting from the Sep-
 16 tember 11, 2001, terrorist attacks, \$1,750,000: *Provided*,
 17 That the entire amount is designated by the Congress as
 18 an emergency requirement pursuant to section
 19 251(b)(2)(A) of the Balanced Budget and Emergency
 20 Deficit Control Act of 1985, as amended.

21 ENVIRONMENTAL AND OTHER DEFENSE

22 ACTIVITIES

23 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE

24 MANAGEMENT

25 For an additional amount for “Defense Environ-
 26 mental Restoration and Waste Management” for emer-

1 gency expenses resulting from the September 11, 2001,
 2 terrorist attacks, \$40,000,000: *Provided*, That the entire
 3 amount is designated by the Congress as an emergency
 4 requirement pursuant to section 251(b)(2)(A) of the Bal-
 5 anced Budget and Emergency Deficit Control Act of 1985,
 6 as amended.

7 OTHER DEFENSE ACTIVITIES

8 For an additional amount for “Other Defense Activi-
 9 ties” for emergency expenses necessary to support energy
 10 security and assurance activities, \$7,000,000: *Provided*,
 11 That the entire amount is designated by the Congress as
 12 an emergency requirement pursuant to section
 13 251(b)(2)(A) of the Balanced Budget and Emergency
 14 Deficit Control Act of 1985, as amended.

15 GENERAL PROVISIONS, THIS CHAPTER

16 (RESCISSION)

17 SEC. 501. (a) Of the non-defense funds made avail-
 18 able to the Secretary of Energy under the headings “En-
 19 ergy Supply”, “Non-Defense Environmental Manage-
 20 ment”, “Science”, “Nuclear Waste Disposal”, and “De-
 21 partmental Administration” in Public Law 107–66,
 22 \$30,000,000 are rescinded.

23 (b) Within 30 days after the date of the enactment
 24 of this Act, the Director of the Office of Management and
 25 Budget shall submit to the Committees on Appropriations

1 of the House of Representatives and the Senate a listing
 2 of the amounts by account of the reductions made pursu-
 3 ant to the provisions of subsection (a) of this section.

4 SEC. 502. The amounts invested by the non-Federal
 5 interests in the biomass project at Winona, Mississippi,
 6 before the date of enactment of this Act shall constitute
 7 full satisfaction of the cost-sharing requirement under sec-
 8 tion 3002 of the Energy Policy Act of 1992 (42 U.S.C.
 9 13542).

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

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

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

20 “(c) CONTRACTING AND CONSTRUCTION REQUIRE-
 21 MENTS.—

22 “(1) IN GENERAL.—Not later than 30 days
 23 after the date of enactment of this paragraph, sub-
 24 ject to the availablilty of appropriations made to the
 25 Department of Energy under the heading, “URA-

1 NIUM FACILITIES MAINTENANCE AND REMEDI-
 2 ATION”, the Secretary of Energy shall—

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

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

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

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

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

22 “(A) require that groundbreaking for con-
 23 struction occur not later than January 31,
 24 2004, and that construction proceed expedi-
 25 tiously thereafter;

1 “(B) include as an item of performance the
2 transportation, conversion, and disposition of
3 depleted uranium contained in cylinders located
4 at the Oak Ridge K-25 uranium enrichment fa-
5 cility located in the East Tennessee Technology
6 Park at Oak Ridge, Tennessee, consistent with
7 environmental agreements between the State of
8 Tennessee and the Secretary of Energy; and

9 “(C) specify that the contractor shall not
10 proceed to perform any part of the contract un-
11 less sufficient funds have been appropriated, in
12 advance, specifically to pay for that part of the
13 contract.

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

19 “(d) AUTHORIZATION OF APPROPRIATIONS.—In ad-
20 dition to any other funds that are available to carry out
21 this section, there are authorized to be appropriated such
22 sums as are necessary to carry out this section.”.

23 SEC. 504. In addition to amounts previously appro-
24 priated, \$3,000,000 is hereby appropriated for the De-
25 partment of the Interior, Bureau of Reclamation, for

1 “Water and Related Resources” for the drilling of emer-
 2 gency wells in Santa Fe, New Mexico and shall remain
 3 available until expended.

4 CHAPTER 6

5 BILATERAL ECONOMIC ASSISTANCE

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 UNITED STATES AGENCY FOR INTERNATIONAL

8 DEVELOPMENT

9 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

10 For an additional amount for “Child Survival and
 11 Health Programs Fund” for activities related to the pre-
 12 vention, care and treatment, and control of, and research
 13 on, HIV/AIDS, tuberculosis, and malaria, \$100,000,000,
 14 to remain available until March 31, 2003, which may be
 15 made available as a United States contribution to the
 16 Global Fund to Combat AIDS, Tuberculosis, and Malaria:
 17 *Provided*, That funds appropriated by this paragraph shall
 18 be subject to the regular notification procedures of the
 19 Committees on Appropriations.

20 INTERNATIONAL DISASTER ASSISTANCE

21 For an additional amount for “International Disaster
 22 Assistance”, \$150,000,000, to remain available until
 23 March 31, 2003: *Provided*, That funds appropriated by
 24 this paragraph shall be made available for emergency ex-
 25 penses for Afghanistan for humanitarian and reconstruc-
 26 tion activities related to preventing or responding to inter-

1 national terrorism, including repairing homes of Afghan
 2 citizens that were damaged as a result of military oper-
 3 ations against al Qaeda and the Taliban: *Provided further*,
 4 That of the funds appropriated by this paragraph that are
 5 available for Afghanistan, up to \$2,500,000 may be made
 6 available, in addition to amounts otherwise available for
 7 such purposes, for administrative expenses of the United
 8 States Agency for International Development in support
 9 of the provision of such assistance: *Provided further*, That
 10 of the funds appropriated by this paragraph, \$50,000,000
 11 shall be made available for humanitarian, refugee and re-
 12 construction assistance for the West Bank and Gaza: *Pro-*
 13 *vided further*, That none of the funds provided in the pre-
 14 ceding proviso shall be available for assistance for the Pal-
 15 estinian Authority: *Provided further*, That the entire
 16 amount is designated by the Congress as an emergency
 17 requirement pursuant to section 251(b)(2)(A) of the Bal-
 18 anced Budget and Emergency Deficit Control Act of 1985,
 19 as amended: *Provided further*, That funds appropriated by
 20 this paragraph shall be subject to the regular notification
 21 procedures of the Committees on Appropriations.

22 OPERATING EXPENSES OF THE UNITED STATES AGENCY
 23 FOR INTERNATIONAL DEVELOPMENT

24 For an additional amount for “Operating Expenses
 25 of the United States Agency for International Develop-
 26 ment” for emergency expenses for activities related to pre-

1 venting or responding to international terrorism,
 2 \$5,000,000, to remain available until March 31, 2003:
 3 *Provided*, That the entire amount is designated by the
 4 Congress as an emergency requirement pursuant to sec-
 5 tion 251(b)(2)(A) of the Balanced Budget and Emergency
 6 Deficit Control Act of 1985, as amended.

7 OTHER BILATERAL ECONOMIC ASSISTANCE

8 ECONOMIC SUPPORT FUND

9 For an additional amount for “Economic Support
 10 Fund” for emergency expenses for activities related to pre-
 11 venting or responding to international terrorism,
 12 \$700,000,000, to remain available until March 31, 2003:
 13 *Provided*, That of the funds appropriated by this para-
 14 graph, not less than \$3,500,000 shall be made available
 15 to support programs and activities that provide profes-
 16 sional training for journalists from Egypt and other coun-
 17 tries in the Middle East: *Provided further*, That of the
 18 funds appropriated by this paragraph that are made avail-
 19 able for assistance for Pakistan, not less than \$3,500,000
 20 shall be made available for programs and activities which
 21 support the development of independent media in Paki-
 22 stan: *Provided further*, That of the funds appropriated by
 23 this paragraph, \$50,000,000 should be made available for
 24 the Middle East Economic Initiative: *Provided further*,
 25 That of the funds appropriated by this paragraph, not less

1 than \$15,000,000 shall be made available for the estab-
 2 lishment and administration of an international exchange
 3 visitor program for secondary school students from coun-
 4 tries with significant Muslim populations: *Provided fur-*
 5 *ther*, That funds made available pursuant to the previous
 6 proviso shall not be available for any country that is eligi-
 7 ble for assistance under the FREEDOM Support Act:
 8 *Provided further*, That of the funds appropriated by this
 9 paragraph, \$200,000,000 shall be made available for as-
 10 sistance for Israel: *Provided further*, That the entire
 11 amount is designated by the Congress as an emergency
 12 requirement pursuant to section 251(b)(2)(A) of the Bal-
 13 anced Budget and Emergency Deficit Control Act of 1985,
 14 as amended: *Provided further*, That funds appropriated
 15 under this heading, and funds appropriated under this
 16 heading in prior Acts that are made available for the pur-
 17 poses of this paragraph, may be made available notwith-
 18 standing section 512 of Public Law 107–115 or any simi-
 19 lar provision of law: *Provided further*, That funds appro-
 20 priated by this paragraph shall be subject to the regular
 21 notification procedures of the Committees on Appropria-
 22 tions.

23 ASSISTANCE FOR THE INDEPENDENT STATES OF THE
 24 FORMER SOVIET UNION

25 For an additional amount for “Assistance for the
 26 Independent States of the Former Soviet Union” for

1 emergency expenses for activities related to preventing or
 2 responding to international terrorism, \$110,000,000, to
 3 remain available until March 31, 2003: *Provided*, That
 4 funds appropriated by this paragraph shall be made avail-
 5 able for assistance only for Uzbekistan, the Kyrgyz Repub-
 6 lic, Tajikistan, Kazakstan, and Turkmenistan: *Provided*
 7 *further*, That of the funds appropriated by this paragraph,
 8 not less than \$7,000,000 shall be made available for the
 9 development of democratic institutions and the protection
 10 of human rights, which amount shall be administered by
 11 the Bureau of Democracy, Human Rights and Labor, De-
 12 partment of State: *Provided further*, That the entire
 13 amount is designated by the Congress as an emergency
 14 requirement pursuant to section 251(b)(2)(A) of the Bal-
 15 anced Budget and Emergency Deficit Control Act of 1985,
 16 as amended: *Provided further*, That funds appropriated by
 17 this paragraph shall be subject to the regular notification
 18 procedures of the Committees on Appropriations.

19 DEPARTMENT OF STATE

20 INTERNATIONAL NARCOTICS CONTROL AND LAW

21 ENFORCEMENT

22 For an additional amount for “International Nar-
 23 cotics Control and Law Enforcement” for emergency ex-
 24 penses for activities related to preventing or responding
 25 to international terrorism, \$104,000,000, to remain avail-

1 able until March 31, 2003: *Provided*, That of the funds
 2 appropriated by this paragraph, not less than \$2,500,000
 3 shall be made available for the Colombian National Park
 4 Service for training and equipment for park rangers: *Pro-*
 5 *vided further*, That of the funds appropriated by this para-
 6 graph, not to exceed \$4,000,000 shall be made available
 7 for law enforcement training for Indonesian police forces:
 8 *Provided further*, That funds appropriated by this para-
 9 graph shall be subject to the regular notification proce-
 10 dures of the Committees on Appropriations: *Provided fur-*
 11 *ther*, That the entire amount is designated by the Congress
 12 as an emergency requirement pursuant to section
 13 251(b)(2)(A) of the Balanced Budget and Emergency
 14 Deficit Control Act of 1985, as amended.

15 MIGRATION AND REFUGEE ASSISTANCE

16 For an additional amount for “Migration and Ref-
 17 ugee Assistance” for emergency expenses for activities re-
 18 lated to preventing and responding to international ter-
 19 rorism, \$50,000,000, to remain available until March 31,
 20 2003: *Provided*, That funds appropriated by this para-
 21 graph shall be subject to the regular notification proce-
 22 dures of the Committees on Appropriations.

23 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
 24 RELATED PROGRAMS

25 For an additional amount for “Nonproliferation,
 26 Anti-Terrorism, Demining and Related Programs” for

1 emergency expenses for activities related to preventing or
2 responding to international terrorism, \$93,000,000, to re-
3 main available until March 31, 2003: *Provided*, That of
4 the funds appropriated by this paragraph, not less than
5 \$10,000,000 shall be made available for humanitarian
6 demining activities: *Provided further*, That of the funds
7 appropriated by this paragraph, not to exceed
8 \$12,000,000 shall be made available for assistance for In-
9 donesia: *Provided further*, That funds appropriated by this
10 paragraph that are made available for assistance for Indo-
11 nesia may be used only to train and equip an Indonesian
12 police unit to prevent or respond to international ter-
13 rorism, and none of the funds appropriated by this chapter
14 may be used to provide assistance for members of
15 “Brimob” Mobile Police Brigade units: *Provided further*,
16 That of the funds appropriated by this paragraph,
17 \$2,000,000 shall be made available for small arms and
18 light weapons destruction in Afghanistan: *Provided fur-*
19 *ther*, That of the funds appropriated by this paragraph,
20 \$1,000,000 shall be made available for the Nonprolifera-
21 tion and Disarmament Fund: *Provided further*, 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: *Provided further*, That funds appro-

1 priated by this paragraph shall be subject to the regular
 2 notification procedures of the Committees on Appropria-
 3 tions.

4 MILITARY ASSISTANCE

5 FUNDS APPROPRIATED TO THE PRESIDENT

6 FOREIGN MILITARY FINANCING PROGRAM

7 For an additional amount for “Foreign Military Fi-
 8 nancing Program” for emergency expenses for activities
 9 related to preventing or responding to international ter-
 10 rorism, \$347,500,000, to remain available until March 31,
 11 2003: *Provided*, That funds appropriated by this para-
 12 graph may be made available for assistance only for Af-
 13 ghanistan, Pakistan, Nepal, Jordan, Bahrain, Oman,
 14 Yemen, Uzbekistan, the Kyrgyz Republic, Tajikistan,
 15 Kazakhstan, Turkey, Georgia, the Philippines, Colombia,
 16 Djibouti, Ethiopia, Kenya, and Ecuador: *Provided further*,
 17 That funds appropriated by this paragraph should be
 18 made available to establish, train, and equip a Colombian
 19 Army brigade dedicated to providing security to civilian
 20 prosecutors in operations to collect evidence and execute
 21 arrest warrants against leaders of paramilitary organiza-
 22 tions: *Provided further*, That of the funds appropriated by
 23 this paragraph, not to exceed \$3,500,000 may be made
 24 available for assistance for the Colombian Armed Forces
 25 for purposes of protecting the Cano Limon pipeline: *Pro-*

1 *vided further*, That prior to the obligation of funds under
2 the previous proviso, the Secretary of State shall deter-
3 mine and report to the Committee on Appropriations that
4 (i) of the Government of Colombia’s oil revenues from the
5 Cano Limon pipeline, an appropriate percentage will be
6 made available for primary health care, basic education,
7 microenterprise, and other programs and activities to im-
8 prove the lives of the people of Arauca department and
9 that a transparent mechanism exists to effectively monitor
10 such funds, and (ii) Occidental Petroleum and Repsol have
11 each agreed in writing to refund to the United States Gov-
12 ernment an amount, based upon each company’s owner-
13 ship share of the pipeline, equal to the percentage that
14 each such share represents of the amount of funds made
15 available by this Act or subsequent Acts to the Colombian
16 Armed Forces for purposes of protecting the Cano Limon
17 pipeline: *Provided further*, That the amounts refunded
18 pursuant to an agreement entered into pursuant to the
19 previous proviso may be made available for any of the pur-
20 poses under the heading “Andean Counterdrug Initiative”
21 without further appropriation by Congress: *Provided fur-*
22 *ther*, That funds made available by this Act for assistance
23 for Uzbekistan may be made available if the Secretary of
24 State determines and reports to the Committees on Appro-
25 priations that Uzbekistan is making substantial and con-

1 tinuing progress in meeting its commitments under the
 2 “Declaration on the Strategic Partnership and Coopera-
 3 tion Framework Between the Republic of Uzbekistan and
 4 the United States of America”: *Provided further*, That the
 5 entire amount is designated by the Congress as an emer-
 6 gency requirement pursuant to section 251(b)(2)(A) of the
 7 Balanced Budget and Emergency Deficit Control Act of
 8 1985, as amended: *Provided further*, That funds appro-
 9 priated by this paragraph that are made available for Af-
 10 ghanistan may be made available notwithstanding section
 11 512 of Public Law 107–115 or any similar provision of
 12 law: *Provided further*, That funds appropriated by this
 13 paragraph shall be subject to the regular notification pro-
 14 cedures of the Committees on Appropriations.

15 PEACEKEEPING OPERATIONS

16 For an additional amount for “Peacekeeping Oper-
 17 ations” for emergency expenses for activities related to
 18 preventing or responding to international terrorism,
 19 \$20,000,000, to remain available until March 31, 2003:
 20 *Provided*, That the entire amount is designated by the
 21 Congress as an emergency requirement pursuant to sec-
 22 tion 251(b)(2)(A) of the Balanced Budget and Emergency
 23 Deficit Control Act of 1985, as amended: *Provided further*,
 24 That funds appropriated by this paragraph shall be avail-
 25 able only for Afghanistan, and may be made available not-
 26 withstanding section 512 of Public Law 107–115 or any

1 similar provision of law: *Provided further*, That funds ap-
 2 propriated by this paragraph shall be subject to the reg-
 3 ular notification procedures of the Committees on Appro-
 4 priations.

5 MULTILATERAL ECONOMIC ASSISTANCE

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 INTERNATIONAL FINANCIAL INSTITUTIONS

8 (RESCISSION)

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

13 GENERAL PROVISIONS, THIS CHAPTER

14 SEC. 601. INTERNATIONAL ORGANIZATIONS AND
 15 PROGRAMS. Section 576 of Public Law 107–115 is
 16 amended—

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

19 (2) by adding the following new subsection:

20 “(d) OBLIGATION AND DISBURSEMENT.—Funds
 21 made available pursuant to subsection (a) shall be obli-
 22 gated and disbursed not later than July 10, 2002, unless
 23 otherwise prohibited by law.”.

24 SEC. 602. ELIGIBILITY CONDITIONS. (a) Prior to
 25 providing assistance to a government with funds appro-
 26 priated by this chapter, the Secretary of State shall take

1 into account whether such government has established, or
 2 is making substantial progress in establishing—

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

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

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

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

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

22 SEC. 603. COLOMBIA. (a) COUNTER-TERRORISM AU-
 23 THORITY.—In fiscal year 2002, funds available to the De-
 24 partment of State under the heading “Andean
 25 Counterdrug Initiative” in Public Law 107–115 for assist-

1 ance for the Colombian Armed Forces and the Colombian
2 National Police, funds appropriated by this Act that are
3 made available for such assistance, and unexpired bal-
4 ances and assistance previously provided from prior Acts
5 making appropriations for foreign operations, export fi-
6 nancing, and related programs for such assistance, shall
7 be available to support the Colombian Government's uni-
8 fied campaign against narcotics trafficking and against
9 paramilitary and guerrilla organizations designated as ter-
10 rorist organizations in that country.

11 (b) In order to ensure the effectiveness of United
12 States support for such unified campaign, prior to the ex-
13 ercise of the authority contained in subsection (a) to pro-
14 vide counter-terrorism assistance, the Secretary of State
15 shall certify to the appropriate congressional committees
16 that—

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

19 (A) established comprehensive policies to
20 combat illicit drug cultivation, manufacturing,
21 and trafficking (particularly with respect to
22 providing economic opportunities that offer via-
23 ble alternatives to illicit crops) and to restore
24 government authority and respect for human

1 rights in areas under the effective control of
2 paramilitary and guerrilla organizations;

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

6 (C) dedicated substantial additional Colom-
7 bian financial and other resources to implement
8 such policies and reforms, particularly to meet
9 the country's previous commitments under
10 "Plan Colombia"; and

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

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

23 (d) PROVISIONS OF LAW THAT REMAIN APPLICA-
24 BLE.—Sections 556, 567, and 568 of Public Law 107–
25 115, section 8093 of the Department of Defense Appro-

1 priations Act, 2002, and the numerical limitations on the
2 number of United States military personnel and United
3 States individual civilian contractors in section 3204(b)(1)
4 of Public Law 106–246, as amended, shall be applicable
5 to funds made available pursuant to the authority con-
6 tained in subsection (a) and to funds made available else-
7 where in this Act that are made available for assistance
8 for the Colombian Armed Forces and the Colombian Na-
9 tional Police.

10 (RESCISSION)

11 SEC. 604. (a) Of the funds appropriated under the
12 heading “Export-Import Bank of the United States” that
13 are available for tied-aid grants in title I of Public Law
14 107–115 and under such heading in prior Acts making
15 appropriations for foreign operations, export financing,
16 and related programs, \$50,000,000 are rescinded.

17 (b) Of the funds appropriated under the heading
18 “Economic Support Fund” in title II of the Foreign Oper-
19 ations, Export Financing, and Related Programs Appro-
20 priations Act, 2000 (as contained in Public Law 106–113)
21 and in prior Acts making appropriations for foreign oper-
22 ations, export financing, and related programs,
23 \$25,000,000 are rescinded.

1 CHAPTER 7
2 DEPARTMENT OF THE INTERIOR
3 UNITED STATES FISH AND WILDLIFE SERVICE
4 RESOURCE MANAGEMENT

5 For an additional amount for “Resource Manage-
6 ment”, \$412,000, to remain available until expended, to
7 reimburse homeland security-related costs: *Provided*, That
8 the Congress designates the entire amount as an emer-
9 gency requirement pursuant to section 251(b)(2)(A) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985, as amended.

12 CONSTRUCTION

13 For an additional amount for “Construction”,
14 \$3,125,000, to remain available until expended, for facility
15 and safety improvements related to homeland security:
16 *Provided*, That the Congress designates the entire amount
17 as an emergency requirement pursuant to section
18 251(b)(2)(A) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985, as amended.

20 NATIONAL PARK SERVICE

21 CONSTRUCTION

22 For an additional amount for “Construction”,
23 \$17,651,000, to remain available until expended: *Pro-*
24 *vided*, That the Congress designates the entire amount as
25 an emergency requirement pursuant to section

1 251(b)(2)(A) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985, as amended.

3 UNITED STATES GEOLOGICAL SURVEY
4 SURVEYS, INVESTIGATIONS, AND RESEARCH

5 For an additional amount for “Surveys, Investiga-
6 tions, and Research”, \$26,776,000, to remain available
7 until expended, of which \$20,000,000 is for high resolu-
8 tion mapping and imagery of the Nation’s strategic cities,
9 and of which \$6,776,000 is for data storage infrastructure
10 upgrades and emergency power supply system improve-
11 ments at the Earth Resources Observation Systems Data
12 Center: *Provided*, That the Congress designates the entire
13 amount as an emergency requirement pursuant to section
14 251(b)(2)(A) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985, as amended.

16 BUREAU OF INDIAN AFFAIRS
17 OPERATION OF INDIAN PROGRAMS
18 (RESCISSION)

19 Of the funds provided under this heading in Public
20 Law 107–20 for electric power operations and related ac-
21 tivities at the San Carlos Irrigation Project, \$10,000,000
22 are rescinded.

1 DEPARTMENTAL OFFICES

2 DEPARTMENTAL MANAGEMENT

3 SALARIES AND EXPENSES

4 For an additional amount for “Departmental Man-
5 agement, Salaries and Expenses”, for security enhance-
6 ments, \$7,030,000, to remain available until expended, of
7 which not to exceed \$4,130,000 may be transferred by the
8 Secretary to any office within the Department of the Inte-
9 rior other than the Bureau of Reclamation: *Provided*, That
10 the Congress designates the entire amount as an emer-
11 gency requirement pursuant to section 251(b)(2)(A) of the
12 Balanced Budget and Emergency Deficit Control Act of
13 1985, as amended.

14 RELATED AGENCY

15 DEPARTMENT OF AGRICULTURE

16 FOREST SERVICE

17 CAPITAL IMPROVEMENT AND MAINTENANCE

18 For an additional amount for “Capital Improvement
19 and Maintenance”, \$3,500,000, to remain available until
20 expended, for facility enhancements to protect property
21 from acts of terrorism, vandalism, and theft: *Provided*,
22 That the Congress designates the entire amount as an
23 emergency requirement pursuant to section 251(b)(2)(A)
24 of the Balanced Budget and Emergency Deficit Control
25 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”.

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

1 CHAPTER 8
2 DEPARTMENT OF LABOR
3 EMPLOYMENT AND TRAINING ADMINISTRATION
4 TRAINING AND EMPLOYMENT SERVICES
5 For an additional amount for “Training and Employ-
6 ment Services”, \$400,000,000, of which \$200,000,000 is
7 available for obligation through June 30, 2004 for car-
8 rying out sections 171(d) and 173 of the Workforce In-
9 vestment Act, except that not more than \$20,000,000 may
10 be used for carrying out section 171(d); of which
11 \$80,000,000 is available for obligation through June 30,
12 2003 for carrying out section 132(a)(2)(B) of such Act;
13 of which \$10,000,000 is available for obligation through
14 June 30, 2004, and shall be transferred to “Economic De-
15 velopment Assistance Programs”, Economic Development
16 Administration, Department of Commerce, for economic
17 development assistance authorized by the Public Works
18 and Economic Development Act of 1965, as amended, in-
19 cluding \$8,300,000 for “Public Works” investments and
20 \$1,700,000 for “Planning” investments; and of which
21 \$110,000,000 is available for obligation July 1, 2001
22 through June 30, 2002 for carrying out section
23 132(a)(2)(B) of the Workforce Investment Act notwith-
24 standing sections 132(b)(2)(B) and 133(b)(2)(B) of such
25 Act and shall be allotted and allocated in a manner that

1 restores to the affected States and local workforce invest-
 2 ment areas the \$110,000,000 that was subject to rescis-
 3 sion under Public Law 107–20: *Provided*, That the entire
 4 amount is designated by the Congress as an emergency
 5 requirement pursuant to section 251(b)(2)(A) of the Bal-
 6 anced Budget and Emergency Deficit Control Act of 1985,
 7 as amended: *Provided further*, That notwithstanding any
 8 other provision of law, the Governor of the State may in-
 9 clude information on local area unexpended balances in
 10 determining allocation of the funding to local areas made
 11 available through June 30, 2003, under this head, for car-
 12 rying out section 132(a)(2)(B) of the Workforce Invest-
 13 ment Act.

14 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
 15 SALARIES AND EXPENSES

16 Of the funds provided under this heading in Public
 17 Law 107–116 for Occupational Safety and Health Admin-
 18 istration training grants, \$1,000,000 shall be used to re-
 19 store reductions in Institutional Competency Building
 20 training grants which commenced in September 2000, for
 21 program activities ending September 30, 2002 and
 22 \$4,275,000 shall be used to extend funding for these same
 23 Institutional Competency Building training grants for pro-
 24 gram activities for the period of September 30, 2002 to
 25 September 30, 2003, and \$5,900,000 shall be used to ex-

1 tend funding for targeted training grants which com-
 2 menced in September 2001 for program activities for the
 3 period of September 30, 2002 to September 30, 2003, pro-
 4 vided that a grantee has demonstrated satisfactory per-
 5 formance.

6 DEPARTMENT OF HEALTH AND HUMAN
 7 SERVICES

8 HEALTH RESOURCES AND SERVICES ADMINISTRATION
 9 HEALTH RESOURCES AND SERVICES

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

- 12 (1) by inserting “IV,” after “titles II, III,”; and
 13 (2) by striking “\$311,978,000” and inserting
 14 “\$315,333,000”.

15 CENTERS FOR DISEASE CONTROL AND PREVENTION
 16 DISEASE CONTROL, RESEARCH, AND TRAINING

17 For emergency expenses necessary to support activi-
 18 ties related to countering potential biological, disease, and
 19 chemical threats to civilian populations and for carrying
 20 out title III of the Public Health Service Act,
 21 \$315,000,000, to be available until expended. Of this
 22 amount, \$37,000,000 shall be for improving security, in-
 23 cluding information technology security, and
 24 \$278,000,000 shall be for equipment and construction and
 25 renovation of facilities in Atlanta: *Provided*, That notwith-

1 standing any other provision of law, a single contract or
 2 related contracts for development and construction of fa-
 3 cilities may be employed which collectively include the full
 4 scope of the project: *Provided further*, That the solicitation
 5 and contract shall contain the clause “availability of
 6 funds” found at 48 CFS 52.232–18: *Provided further*,
 7 That the entire amount is designated by the Congress as
 8 an emergency requirement pursuant to section
 9 251(b)(2)(A) of the Balanced Budget and Emergency
 10 Deficit Control Act of 1985, as amended.

11 NATIONAL INSTITUTES OF HEALTH

12 BUILDINGS AND FACILITIES

13 (INCLUDING RESCISSION)

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

16 For emergency expenses necessary to support activi-
 17 ties related to countering potential biological, disease, and
 18 chemical threats to civilian populations, and for the study
 19 of, construction of, renovation of, and acquisition of equip-
 20 ment for, facilities of or used by the National Institutes
 21 of Health, including the acquisition of real property,
 22 \$72,000,000 to remain available until expended: *Provided*,
 23 That notwithstanding any other provision of law, a single
 24 contract or related contracts for the development and con-
 25 struction of facilities may be employed which collectively
 26 include the full scope of the project: *Provided further*, That

1 the solicitation and contract shall contain the clause
 2 “availability of funds” found at 48 CFS 52.232–18: *Pro-*
 3 *vided further*, That the entire amount is designated by the
 4 Congress as an emergency requirement pursuant to sec-
 5 tion 251(b)(2)(A) of the Balanced Budget and Emergency
 6 Deficit Control Act of 1985, as amended.

7 OFFICE OF THE SECRETARY

8 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

9 FUND

10 For emergency expenses to respond to the September
 11 11, 2001, terrorist attacks on the United States for “Pub-
 12 lic Health and Social Services Emergency Fund” for base-
 13 line and follow-up screening, long-term health monitoring
 14 and analysis for the emergency services personnel and res-
 15 cue and recovery personnel, \$90,000,000, to remain avail-
 16 able until expended, of which no less than \$25,000,000
 17 shall be available for current and retired firefighters: *Pro-*
 18 *vided*, That the entire amount is designated by the Con-
 19 gress as an emergency requirement pursuant to section
 20 251(b)(2)(A) of the Balanced Budget and Emergency
 21 Deficit Control Act of 1985, as amended.

22 DEPARTMENT OF EDUCATION

23 SCHOOL IMPROVEMENT PROGRAMS

24 The matter under this heading in Public Law 107–
 25 116 is amended by inserting before the period, “: *Provided*

1 *further*, That of the amount made available under subpart
 2 8, part D, title V of the ESEA, \$2,300,000 shall be avail-
 3 able for Digital Educational Programming Grants”.

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

9 In the statement of the managers of the committee
 10 of conference accompanying H.R. 3061 (Public Law 107–
 11 116; House Report 107–342), in the matter relating to
 12 the Fund for the Improvement of Education under the
 13 heading “School Improvement Programs”—

14 (1) the provision specifying \$200,000 for Fres-
 15 no At-Risk Youth Services and the provision speci-
 16 fying \$225,000 for the Fresno Unified School Dis-
 17 trict shall be applied by substituting the following
 18 for the two provisions: “Fresno Unified School Dis-
 19 trict, Fresno, California, in partnership with the
 20 City of Fresno, California, for activities to address
 21 the problems of at-risk youth, including afterschool
 22 activities and a mobile science unit, \$425,000”;

23 (2) the provision specifying \$50,000 for the
 24 Lewiston-Auburn College/University of Southern
 25 Maine shall be deemed to read as follows: “Lewis-

1 ton-Auburn College/University of Southern Maine
2 TEAMS program to prepare teachers to meet the
3 demands of Maine’s 21st century elementary and
4 middle schools, \$50,000”;

5 (3) the provision specifying \$250,000 for the
6 Wellington Public School District, Wellington, KS,
7 shall be deemed to read as follows: “Wellington Pub-
8 lic School District, Wellington, KS, for after school
9 activities, \$250,000”;

10 (4) the provision specifying \$200,000 for the
11 Vermont Higher Education Council shall be deemed
12 to read as follows: “Vermont Higher Education Con-
13 sortium to develop universal early learning programs
14 to ensure that at least one certified teacher will be
15 available in center-based child care programs,
16 \$200,000”;

17 (5) the provision specifying \$250,000 for Edu-
18 cation Service District 117 in Wenatchee, WA, shall
19 be deemed to read as follows: “Education Service
20 District 171 in Wenatchee, WA, to equip a commu-
21 nity technology center to expand technology-based
22 training, \$250,000”;

23 (6) the provision specifying \$1,000,000 for the
24 Electronic Data Systems Project shall be deemed to
25 read as follows: “Washington State Department of

1 Education for an electronic data systems project to
2 create a database that would improve the acquisi-
3 tion, analysis and sharing of student information,
4 \$1,000,000”;

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

11 (8) the provision specifying \$50,000 for Drug
12 Free Pennsylvania shall be deemed to read as fol-
13 lows: “Drug Free Pennsylvania to implement a dem-
14 onstration project, \$50,000”;

15 (9) the provision specifying \$20,000,000 for the
16 Commonwealth of Pennsylvania Department of Edu-
17 cation shall be deemed to read as follows:
18 “\$20,000,000 is included for a grant to the Com-
19 monwealth of Pennsylvania Department of Edu-
20 cation to provide assistance, through subgrants, to
21 low-performing school districts that are slated for
22 potential takeover and/or on the Education Em-
23 powerment List as prescribed by Pennsylvania State
24 Law. The initiative is intended to improve the man-
25 agement and operations of the school districts; assist

1 with curriculum development; provide after-school,
2 summer and weekend programs; offer teacher and
3 principal professional development and promote the
4 acquisition and effective use of instructional tech-
5 nology and equipment”;

6 (10) the provision specifying \$150,000 for the
7 American Theater Arts for Youth, Inc., Philadel-
8 phia, PA, for a Mississippi Arts in Education Pro-
9 gram shall be deemed to read as follows: “American
10 Theater Arts for Youth, Inc., for a Mississippi Arts
11 in Education program, \$150,000”;

12 (11) the provision specifying \$340,000 for the
13 Zero to Five Foundation, Los Angeles, California,
14 shall be deemed to read as follows: “Zero to Five
15 Foundation, Los Angeles, California, to develop an
16 early childhood education and parenting project,
17 \$340,000”;

18 (12) the provision specifying \$900,000 for the
19 University of Nebraska, Kearney, Nebraska, shall be
20 deemed to read as follows: “University of Nebraska,
21 Kearney, Nebraska, for a Minority Access to Higher
22 Education Program to address the special needs of
23 Hispanic and other minority populations from
24 grades K–12, \$900,000”;

1 (13) the provision specifying \$25,000 for the
 2 American Theater Arts for Youth for an Arts in
 3 Education program shall be deemed to read as fol-
 4 lows: “American Theater Arts for Youth, Inc., in
 5 Philadelphia, Pennsylvania, for an Arts in Education
 6 program, \$25,000”; and

7 (14) the provision specifying \$50,000 for the
 8 Lewiston-Auburn College/University of Southern
 9 Maine shall be deemed to read as follows: “Lewis-
 10 ton-Auburn College/University of Southern Maine
 11 CLASS program to prepare teachers to meet the de-
 12 mands of Maine’s 21st century elementary and mid-
 13 dle schools, \$50,000”.

14 STUDENT FINANCIAL ASSISTANCE

15 For an additional amount for “Student Financial As-
 16 sistance” for carrying out subpart 1 of part A of title IV
 17 of the Higher Education Act of 1965, as amended,
 18 \$1,000,000,000, to remain available through September
 19 30, 2003: *Provided*, That the entire amount is designated
 20 by the Congress as an emergency requirement pursuant
 21 to section 251(b)(2)(A) of the Balanced Budget and
 22 Emergency Deficit Control Act of 1985, as amended.

23 HIGHER EDUCATION

24 In the statement of the managers of the committee
 25 of conference accompanying H.R. 3061 (Public Law 107–
 26 116; House Report 107–342), in the matter relating to

1 the Fund for the Improvement of Postsecondary Edu-
2 cation under the heading “Higher Education”—

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

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

13 (3) the provision specifying \$10,000,000 for the
14 Shriver Peace Worker Program, Inc. shall be
15 deemed to read as follows: “Shriver Peace Worker
16 Program, Inc. to establish the Sargent Shriver
17 Peace Center, which may include establishing an en-
18 dowment for such center, for the purpose of sup-
19 porting graduate research fellowships, professor-
20 ships, and grants and scholarships for students re-
21 lated to peace studies and social change,
22 \$10,000,000”; and

23 (4) the provision specifying \$1,000,000 for
24 Cleveland State University shall be deemed to read
25 as follows: “Cleveland State University, College of

1 Education, Cleveland, Ohio, for a K–16 Urban
 2 School Leadership initiative, \$1,000,000”.

3 EDUCATION RESEARCH, STATISTICS, AND ASSESSMENT

4 The matter under this heading in Public Law 107–
 5 116, is amended by inserting before the period the fol-
 6 lowing new proviso: “: *Provided further*, That \$5,000,000
 7 shall be available to extend for one additional year the con-
 8 tract for the Eisenhower National Clearinghouse for
 9 Mathematics and Science Education authorized under sec-
 10 tion 2102(a)(2) of the Elementary and Secondary Edu-
 11 cation Act of 1965, prior to its amendment by the No
 12 Child Left Behind Act of 2001, Public Law 107–110”.

13 GENERAL PROVISIONS, THIS CHAPTER

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

24 SEC. 802. The Elementary and Secondary Education
 25 Act of 1965 is hereby amended in section 8003(b)(1) by
 26 adding the following as subparagraph (G):

1 “(G) Beginning with fiscal year 2002, for
2 the purpose of calculating a payment under this
3 paragraph for a local educational agency whose
4 local contribution rate was computed under
5 subparagraph (C)(iii) for the previous year, the
6 Secretary shall use a local contribution rate
7 that is not less than 95 percent of the rate that
8 the LEA received for the preceding year.”.

9 SEC. 803. Amounts made available in Public Law
10 107–116 for the administrative and related expenses for
11 departmental management for the Department of Labor,
12 the Department of Health and Human Services, and the
13 Department of Education, shall be reduced on a pro rata
14 basis by \$45,000,000: *Provided*, That this provision shall
15 not apply to the Food and Drug Administration and the
16 Indian Health Service: *Provided further*, That not later
17 than 15 days after the enactment of this Act, the Director
18 of the Office of Management and Budget shall report to
19 the House and Senate Committees on Appropriations the
20 accounts subject to the pro rata reductions and the
21 amount to be reduced in each account.

22 SEC. 804. The Higher Education Amendments of
23 1998 are hereby amended in section 821 as follows:

24 (1) in subsection (b), by striking “25” and in-
25 serting “35”;

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

3 (3) in subsection (f) by striking “25” and in-
4 serting “35”.

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

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

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

20 SEC. 806. (a) Section 3306(u) of title 26, United
21 States Code, is amended by adding at the end the fol-
22 lowing: “Such term does not include any entity located
23 in Alaska.”.

1 (b) The amendment made by this section shall take
 2 effect as if included in the amendment made by section
 3 166(d) of the Community Renewal Tax Relief Act of 2000.

4 CHAPTER 9

5 LEGISLATIVE BRANCH

6 JOINT ITEMS

7 CAPITOL POLICE BOARD

8 CAPITOL POLICE

9 GENERAL EXPENSES

10 For an additional amount for the Capitol Police
 11 Board for necessary expenses of the Capitol Police, includ-
 12 ing security equipment and installation, supplies, mate-
 13 rials and contract services, \$3,600,000, to be disbursed
 14 by the Capitol Police Board or their designee: *Provided*,
 15 That the entire amount is designated by the Congress as
 16 an emergency requirement pursuant to section
 17 251(b)(2)(A) of the Balanced Budget and Emergency
 18 Deficit Control Act of 1985, as amended.

19 LIBRARY OF CONGRESS

20 COPYRIGHT OFFICE

21 SALARIES AND EXPENSES

22 For an additional amount for “Copyright Office, Sal-
 23 aries and expenses”, \$7,500,000, to remain available until
 24 expended: *Provided*, That the entire amount is designated
 25 by the Congress as an emergency requirement pursuant

1 to section 251(b)(2)(A) of the Balanced Budget and
 2 Emergency Deficit Control Act of 1985, as amended.

3 GENERAL PROVISIONS, THIS CHAPTER

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

14 (1) are otherwise payable from such account,
 15 and

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

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

23 (1) in section 901 (a), by striking “buildings
 24 and facilities” and insert “buildings and facilities,
 25 subject to the availability of appropriations,”.

1 (b) Section 9 of the Act of July 31, 1946 (40 U.S.C.
 2 212a), is amended by redesignating the subsection (b)
 3 added by section 903(c)(2) of the Emergency Supple-
 4 mental Act, 2002, as subsection (c).

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

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

12 (1) in paragraph (1), by striking “determines
 13 that the Capitol Police would be likely, in the ab-
 14 sence of such a bonus, to encounter difficulty in fill-
 15 ing the position” and inserting “, in the sole discre-
 16 tion of the Board, determines that such a bonus will
 17 assist the Capitol Police in recruitment efforts”; and

18 (2) by adding at the end the following:

19 “(6) DETERMINATIONS NOT APPEALABLE OR
 20 REVIEWABLE.—Any determination of the Board
 21 under this subsection shall not be appealable or re-
 22 viewable in any manner.”.

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

24 (1) in paragraph (1)—

1 (A) by striking subparagraphs (A) and
 2 (B); and

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

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

13 (c) Section 909 of the Act is amended—

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

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

18 “(f) TUITION ALLOWANCES.—The Capitol Police
 19 Board may authorize the Chief to pay tuition allowances
 20 for payment or reimbursement of education expenses in
 21 the same manner and to the same extent as retention al-
 22 lowances under subsection (b).”.

23 SEC. 904. (a) The Architect of the Capitol is author-
 24 ized, subject to the availability of appropriations, to ac-
 25 quire (through purchase, lease, or otherwise) buildings

1 and facilities for use as computer backup facilities (and
2 related uses) for offices in the legislative branch.

3 (b) The acquisition of a building or facility under sub-
4 section (a) shall be subject to the approval of—

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

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

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

16 (c) Any building or facility acquired by the Architect
17 of the Capitol pursuant to subsection (a) shall be a part
18 of the United States Capitol Grounds and shall be subject
19 to the provisions of the Act entitled “An Act to define
20 the area of the United States Capitol Grounds, to regulate
21 the use thereof, and for other purposes”, approved July
22 31, 1946.

23 (d) This section shall apply with respect to fiscal year
24 2002 and each succeeding fiscal year.

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CHAPTER 10

DEPARTMENT OF TRANSPORTATION

TRANSPORTATION SECURITY ADMINISTRATION

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

1 the Congress as an emergency requirement pursuant to
 2 section 251(b)(2)(A) of the Balanced Budget and Emer-
 3 gency Deficit Control Act of 1985, as amended.

4 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

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

13 FEDERAL AVIATION ADMINISTRATION

14 OPERATIONS

15 For an additional amount for “Operations”,
 16 \$100,000,000, for security activities at Federal Aviation
 17 Administration facilities: *Provided*, That the entire
 18 amount is designated by the Congress as an emergency
 19 requirement pursuant to section 251(b)(2)(A) of the Bal-
 20 anced Budget and Emergency Deficit Control Act of 1985,
 21 as amended.

22 FACILITIES AND EQUIPMENT

23 (AIRPORT AND AIRWAY TRUST FUND)

24 For an additional amount for “Facilities and Equip-
 25 ment”, \$15,000,000, to be derived from the Airport and
 26 Airway Trust Fund and to remain available until ex-

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

5 GRANTS-IN-AID FOR AIRPORTS

6 (AIRPORT AND AIRWAY TRUST FUND)

7 For an additional amount to enable the Federal Avia-
 8 tion Administrator to compensate airports for the direct
 9 costs associated with new, additional or revised security
 10 requirements imposed on airport operators by the Admin-
 11 istrator on or after September 11, 2001, notwithstanding
 12 any other provision of law, \$100,000,000, to be derived
 13 from the Airport and Airway Trust Fund and to remain
 14 available until expended: *Provided*, That the entire amount
 15 is designated by the Congress as an emergency require-
 16 ment pursuant to section 251(b)(2)(A) of the Balanced
 17 Budget and Emergency Deficit Control Act of 1985, as
 18 amended.

19 FEDERAL HIGHWAY ADMINISTRATION

20 FEDERAL-AID HIGHWAYS

21 EMERGENCY RELIEF PROGRAM

22 (HIGHWAY TRUST FUND)

23 For an additional amount for “Emergency Relief
 24 Program”, as authorized by 23 U.S.C. 125, for emergency
 25 expenses to respond to the September 11, 2001, terrorist
 26 attacks on New York City, \$167,000,000 for the State of

1 New York, to be derived from the Highway Trust Fund
 2 and to remain available until expended: *Provided*, That
 3 notwithstanding 23 U.S.C. 120(e), the Federal share for
 4 any project on a Federal-aid highway related to the New
 5 York City terrorist attacks shall be 100 percent: *Provided*
 6 *further*, That notwithstanding 23 U.S.C. 125(d)(1), the
 7 Secretary of Transportation may obligate more than
 8 \$100,000,000 for those projects: *Provided further*, That
 9 the entire amount is designated by the Congress as an
 10 emergency requirement pursuant to section 251(b)(2)(A)
 11 of the Balanced Budget and Emergency Deficit Control
 12 Act of 1985, as amended.

13 FEDERAL-AID HIGHWAYS

14 (HIGHWAY TRUST FUND)

15 (RESCISSION)

16 Of the funds apportioned to each state under the pro-
 17 grams authorized under sections 1101(a)(1), 1101(a)(2),
 18 1101(a)(3), 1101(a)(4) and 1101(a)(5) of Public Law
 19 105–178, as amended, \$200,000,000 are rescinded.

20 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

21 BORDER ENFORCEMENT PROGRAM

22 For necessary expenses of the Border Enforcement
 23 Program to respond to the September 11, 2001, terrorist
 24 attacks on the United States, \$19,300,000, to be derived
 25 from the Highway Trust Fund, of which \$4,200,000 shall
 26 be to implement section 1012 of Public Law 107–56 (USA

1 Patriot Act); \$10,000,000 shall be for drivers' license
 2 fraud detection and prevention, northern border safety
 3 and security study, and hazardous material security edu-
 4 cation and outreach; and \$5,100,000 shall be for the pur-
 5 poses of coordinating drivers' license registration and so-
 6 cial security number verification: *Provided*, That in con-
 7 nection with such commercial drivers' license fraud deter-
 8 rence projects, the Secretary may enter into such con-
 9 tracts or grants with the American Association of Motor
 10 Vehicle Administrators, States, or other persons as the
 11 Secretary may so designate to carry out these purposes:
 12 *Provided further*, That the entire amount is designated by
 13 the Congress as an emergency requirement pursuant to
 14 section 251(b)(2)(A) of the Balanced Budget and Emer-
 15 gency Deficit Control Act of 1985, as amended.

16 FEDERAL RAILROAD ADMINISTRATION
 17 GRANTS TO THE NATIONAL RAILROAD PASSENGER
 18 CORPORATION

19 For an additional amount for the National Railroad
 20 Passenger Corporation for emergency expenses to ensure
 21 the safety of rail passenger operations, \$55,000,000, to
 22 remain available until expended, of which \$20,000,000
 23 shall be used to repair damaged passenger equipment,
 24 \$12,000,000 shall be used for emergency security needs,

1 and \$23,000,000 shall be used for the heavy overhaul of
2 the rail passenger fleet.

3 FEDERAL TRANSIT ADMINISTRATION

4 CAPITAL INVESTMENT GRANTS

5 For an additional amount for “Capital Investment
6 Grants” for emergency expenses to respond to the Sep-
7 tember 11, 2001, terrorist attacks in New York City,
8 \$1,800,000,000, to remain available until expended, to re-
9 place, rebuild, or enhance the public transportation sys-
10 tems serving the Borough of Manhattan, New York City,
11 New York: *Provided*, That the Secretary may use up to
12 one percent of this amount for oversight activities: *Pro-*
13 *vided further*, That these funds are subject to grant re-
14 quirements as determined by the Secretary to ensure that
15 eligible projects will improve substantially the mobility of
16 commuters in Lower Manhattan: *Provided further*, That
17 the Federal share for any project funded from this amount
18 shall be 100 percent: *Provided further*, That these funds
19 are in addition to any other appropriation available for
20 these purposes: *Provided further*, That the entire amount
21 is designated by the Congress as an emergency require-
22 ment pursuant to section 251(b)(2)(A) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985, as
24 amended.

1 RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

2 RESEARCH AND SPECIAL PROGRAMS

3 For an additional amount for “Research and Special
 4 Programs” to establish a Transportation Information Op-
 5 erations Center for improving transportation emergency
 6 response coordination, \$3,500,000: *Provided*, That the en-
 7 tire amount is designated by the Congress as an emer-
 8 gency requirement pursuant to section 251(b)(2)(A) of the
 9 Balanced Budget and Emergency Deficit Control Act of
 10 1985, as amended.

11 GENERAL PROVISIONS, THIS CHAPTER

12 SEC. 1001. Section 1106 of Public Law 107–117 is
 13 amended by deleting “\$116,023,000” and inserting
 14 “\$128,123,000”.

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

17 “(k) Notwithstanding any other provision of law, the
 18 obligations for Federal-aid highway and highway safety
 19 construction programs for fiscal year 2003 shall be not
 20 less than \$27,746,000,000 and not more than
 21 \$28,900,000,000.”.

22 SEC. 1003. Title II of Division C of Public Law 105–
 23 277 is amended by striking “of more than 750 gross reg-
 24 istered tons” in each place it appears, and inserting in
 25 lieu thereof, “of more than 750 gross registered tons (as

1 measured under Chapter 145 of Title 46) or 1,900 gross
2 registered tons as measured under Chapter 143 of that
3 Title)”.
4

5 SEC. 1004. Notwithstanding any other provision of
6 law, federal credit instruments issued pursuant to section
7 101(a)(1) of Public Law 107–42 shall not exceed
8 \$429,000,000 in fiscal year 2002 and not exceed
9 \$4,000,000,000 in the aggregate.
10

11 SEC. 1005. Section 335 of Public Law 107–87 is
12 amended by inserting “and the Transportation Security
13 Administration” after “the Federal Aviation Administra-
14 tion”; by inserting “, aviation security” after “air naviga-
15 tion”, and by inserting “and the TSA for necessary secu-
16 rity checkpoints” after the word “facilities”.
17

18 SEC. 1006. Section 354 of Public Law 106–346 (114
19 Stat. 1356A–35) is amended by inserting “or Nail Road”
20 after “Star Landing Road”.
21

22 SEC. 1007. Notwithstanding any other provision of
23 law, \$2,750,000 of amounts made available for “Intel-
ligent Transportation Systems” in Public Law 107–87
and Public Law 106–346 shall be made available for ac-
tivities authorized under section 5118 of Public Law 105–
178.

1 CHAPTER 11
2 DEPARTMENT OF THE TREASURY
3 FINANCIAL MANAGEMENT SERVICE
4 SALARIES AND EXPENSES
5 (RESCISSION)

6 Of the available balances under this heading,
7 \$14,000,000 are rescinded.

8 UNITED STATES CUSTOMS SERVICE
9 SALARIES AND EXPENSES

10 For an additional amount for “Salaries and Ex-
11 penses”, \$59,000,000, to remain available until expended:
12 *Provided*, That the entire amount is designated by the
13 Congress as an emergency requirement pursuant to sec-
14 tion 251(b)(2)(A) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985, as amended.

16 INTERNAL REVENUE SERVICE
17 INFORMATION SYSTEMS
18 (RESCISSION)

19 Of the available balances under this heading,
20 \$10,000,000 are rescinded.

21 UNITED STATES SECRET SERVICE
22 SALARIES AND EXPENSES

23 For an additional amount for “Salaries and Ex-
24 penses”, \$17,200,000: *Provided*, That the entire amount
25 is designated by the Congress as an emergency require-
26 ment pursuant to section 251(b)(2)(A) of the Balanced

1 Budget and Emergency Deficit Control Act of 1985, as
2 amended.

3 POSTAL SERVICE

4 PAYMENT TO THE POSTAL SERVICE FUND

5 For an additional amount for “Payment to the Postal
6 Service Fund” for emergency expenses to enable the Post-
7 al Service to protect postal employees and postal cus-
8 tomers from exposure to biohazardous material and to
9 sanitize and screen the mail, \$87,000,000, to remain avail-
10 able until expended: *Provided*, That the entire amount is
11 designated by the Congress as an emergency requirement
12 pursuant to section 251(b)(2)(A) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985, as amended.

14 EXECUTIVE OFFICE OF THE PRESIDENT

15 OFFICE OF ADMINISTRATION

16 SALARIES AND EXPENSES

17 For an additional amount for “Salaries and Ex-
18 penses”, \$5,000,000, to remain available until expended:
19 *Provided*, That the entire amount is designated by the
20 Congress as an emergency requirement pursuant to sec-
21 tion 251(b)(2)(A) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985, as amended: *Provided further*,
23 That none of these funds may be obligated until the Sen-
24 ate confirms a Director for Homeland Security in the Of-

1 fice of Homeland Security pursuant to section 1102 of this
 2 Act.

3 INDEPENDENT AGENCIES

4 GENERAL SERVICES ADMINISTRATION

5 REAL PROPERTY ACTIVITIES

6 FEDERAL BUILDINGS FUND

7 For an additional amount for “Federal Buildings
 8 Fund” for building security emergency expenses resulting
 9 from the September 11, 2001, terrorist attacks on the
 10 United States, \$51,800,000: *Provided*, That the entire
 11 amount is designated by the Congress as an emergency
 12 requirement pursuant to section 251(b)(2)(A) of the Bal-
 13 anced Budget and Emergency Deficit Control Act of 1985,
 14 as amended.

15 POLICY AND OPERATIONS

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

24 GENERAL PROVISIONS, THIS CHAPTER

25 SEC. 1101. For purposes of section 201(a) of the
 26 Federal Property and Administrative Services Act of 1949

1 (relating to Federal sources of supply, including lodging
2 providers, airlines and other transportation providers), the
3 Eisenhower Exchange Fellowship Program shall be
4 deemed an executive agency for the purposes of carrying
5 out the provisions of 20 U.S.C. 5201, and the employees
6 of and participants in the Eisenhower Exchange Fellow-
7 ship Program shall be eligible to have access to such
8 sources of supply on the same basis as employees of an
9 executive agency have such access.

10 SEC. 1102. DIRECTOR FOR HOMELAND SECURITY.

11 (a) IN GENERAL.—There is established the position of Di-
12 rector for Homeland Security in the Office of Homeland
13 Security established under section 1 of Executive order
14 No. 13228. The Director for Homeland Security shall be
15 the head of that Office, after appointment by the Presi-
16 dent, by and with the advice and consent of the Senate.

17 (b) EFFECTIVE DATE.—This section shall take effect
18 30 days after the date of enactment of this Act.

19 CHAPTER 12

20 DEPARTMENT OF VETERANS AFFAIRS

21 VETERANS BENEFITS ADMINISTRATION

22 COMPENSATION AND PENSIONS

23 For an additional amount for “Compensation and
24 pensions”, \$1,100,000,000, to remain available until ex-
25 pended.

1 VETERANS HEALTH ADMINISTRATION

2 MEDICAL CARE

3 For an additional amount for “Medical care” result-
4 ing from continued open enrollment for Priority Level 7
5 veterans, \$142,000,000.

6 For an additional amount for “Medical care”,
7 \$275,000,000: *Provided*, That the entire amount is des-
8 ignated by the Congress as an emergency requirement
9 pursuant to section 251(b)(2)(A) of the Balanced Budget
10 and Emergency Deficit Control Act of 1985, as amended.

11 DEPARTMENT OF HOUSING AND URBAN

12 DEVELOPMENT

13 PUBLIC AND INDIAN HOUSING

14 HOUSING CERTIFICATE FUND

15 (RESCISSION)

16 Of the amounts unobligated or recaptured, prior to
17 September 30, 2002, from funds appropriated under this
18 heading during fiscal year 2002 and prior years,
19 \$300,000,000 are rescinded.

20 COMMUNITY PLANNING AND DEVELOPMENT

21 COMMUNITY DEVELOPMENT FUND

22 For an additional amount for “Community Develop-
23 ment Fund”, as authorized by title I of the Housing and
24 Community Development Act of 1974, as amended, for
25 emergency expenses to respond to the September 11,
26 2001, terrorist attacks on the United States,

1 \$750,000,000, to remain available until expended: *Pro-*
2 *vided*, That the State of New York, in cooperation with
3 the City of New York, shall, through the Lower Manhat-
4 tan Development Corporation, distribute these funds: *Pro-*
5 *vided further*, That such funds may be used for assistance
6 for properties and businesses (including the restoration of
7 utility infrastructure) damaged by, and for economic revi-
8 talization directly related to, the terrorist attacks on the
9 United States that occurred on September 11, 2001, in
10 New York City and for reimbursement to the State and
11 City of New York for expenditures incurred from the reg-
12 ular Community Development Block Grant formula alloca-
13 tion used to achieve these same purposes: *Provided further*,
14 That the State of New York is authorized to provide such
15 assistance to the City of New York: *Provided further*, That
16 in administering these funds and funds under section 108
17 of such Act used for economic revitalization activities in
18 New York City, the Secretary may waive, or specify alter-
19 native requirements for, any provision of any statute or
20 regulation that the Secretary administers in connection
21 with the obligation by the Secretary or the use by the re-
22 cipient of these funds or guarantees (except for require-
23 ments related to fair housing, nondiscrimination, labor
24 standards, and the environment), upon a finding that such
25 waiver is required to facilitate the use of such funds or

1 guarantees: *Provided further*, That such funds shall not
2 adversely affect the amount of any formula assistance re-
3 ceived by the State of New York, New York City, or any
4 categorical application for other Federal assistance: *Pro-*
5 *vided further*, That the Secretary shall publish in the Fed-
6 eral Register any waiver of any statute or regulation that
7 the Secretary administers pursuant to title I of the Hous-
8 ing and Community Development Act of 1974, as amend-
9 ed, no later than five days before the effective date of such
10 waiver: *Provided further*, That the Secretary shall notify
11 the Committees on Appropriations on the proposed alloca-
12 tion of any funds and any related waivers pursuant to this
13 section no later than five days before such allocation: *Pro-*
14 *vided further*, That the entire amount is designated by the
15 Congress as an emergency requirement pursuant to sec-
16 tion 251(b)(2)(A) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, as amended.

18 The referenced statement of the managers under the
19 heading “Community Development Block Grants” in title
20 II of Public Law 105–276 is deemed to be amended by
21 striking “\$250,000 for renovation, accessibility, and as-
22 bestos remediation for the Wellstone Neighborhood Cen-
23 ter, Wellstone, Missouri” and insert in lieu thereof
24 “\$250,000 for the St. Louis Economic Council for design,

1 infrastructure and construction related to the Enterprise
2 Center-Wellstone in Wellstone, Missouri”.

3 The referenced statement of the managers under the
4 heading “Community Development Fund” in title II of
5 Public Law 106–377 is deemed to be amended by striking
6 “\$1,000,000 for the Community Action Agency of South-
7 ern New Mexico, Inc. for construction of a regional food
8 bank and supporting offices” and insert in lieu thereof
9 “\$1,000,000 for the Community Action Agency of South-
10 ern New Mexico for construction, purchase, or renovation
11 and the equipping of a regional food bank and supporting
12 offices”.

13 The referenced statement of the managers under the
14 heading “Community Development Fund” in title II of
15 Public Law 107–73 is deemed to be amended by striking
16 “\$400,000 to the City of Reading, PA for the development
17 of the Morgantown Road Industrial Park on what is cur-
18 rently a brownfields site” and insert in lieu thereof
19 “\$400,000 for the City of Reading, PA for the develop-
20 ment of the American Chain and Cable brownfield site”.

21 The referenced statement of the managers under the
22 heading “Community Development Fund” in title II of
23 Public Law 107–73 is deemed to be amended by striking
24 “\$750,000 for the Smart Start Child Care Center and Ex-
25 pertise School of Las Vegas, Nevada for construction of

1 a child care facility” and insert in lieu thereof “\$250,000
2 for the Smart Start Child Care Center and Expertise
3 School of Las Vegas, Nevada for construction of a child
4 care facility and \$500,000 for job training”.

5 HOME INVESTMENT PARTNERSHIPS PROGRAM
6 (RESCISSION)

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

10 HOUSING PROGRAMS

11 RENTAL HOUSING ASSISTANCE

12 The limitation otherwise applicable to the maximum
13 payments that may be required in any fiscal year by all
14 contracts entered into under section 236 of the National
15 Housing Act (12 U.S.C. 1715z–1) is reduced in fiscal year
16 2002 by not more than \$300,000,000 in uncommitted bal-
17 ances of authorizations of contract authority provided for
18 this purpose in appropriations acts: *Provided*, That up to
19 \$300,000,000 of recaptured section 236 budget authority
20 resulting from the prepayment of mortgages subsidized
21 under section 236 of the National Housing Act (12 U.S.C.
22 1715z–1) shall be made available as provided in section
23 236(s) of the National Housing Act.

1 INDEPENDENT AGENCIES

2 ENVIRONMENTAL PROTECTION AGENCY

3 SCIENCE AND TECHNOLOGY

4 For an additional amount for “Science and tech-
5 nology”, \$100,000,000: *Provided*, That the entire amount
6 is designated by the Congress as an emergency require-
7 ment pursuant to section 251(b)(2)(A) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985, as
9 amended.

10 HAZARDOUS SUBSTANCE SUPERFUND

11 For an additional amount for “Hazardous substance
12 superfund” for additional expenses incurred for anthrax
13 investigations and cleanup actions at the United States
14 Capitol and the Congressional office building complex,
15 \$12,500,000: *Provided*, That the entire amount is des-
16 ignated by the Congress as an emergency requirement
17 pursuant to section 251(b)(2)(A) of the Balanced Budget
18 and Emergency Deficit Control Act of 1985, as amended.

19 FEDERAL EMERGENCY MANAGEMENT AGENCY

20 DISASTER RELIEF

21 For an additional amount for “Disaster relief” for
22 emergency expenses to respond to the September 11,
23 2001, terrorist attacks on the United States,
24 \$2,660,000,000, to remain available until expended: *Pro-*
25 *vided*, That in administering the Mortgage and Rental As-
26 sistance Program for victims of September 11, 2001, the

1 Federal Emergency Management Agency will recognize
2 those people who were either directly employed in the Bor-
3 ough of Manhattan or had at least 75 percent of their
4 wages coming from business conducted within the Bor-
5 ough of Manhattan as eligible for assistance under the
6 program, as they were directly impacted by the terrorist
7 attacks: *Provided further*, That FEMA shall provide com-
8 pensation to previously denied Mortgage and Rental As-
9 sistance Program applicants who would qualify under
10 these new guidelines: *Provided further*, That the entire
11 amount is designated by the Congress as an emergency
12 requirement pursuant to section 251(b)(2)(A) of the Bal-
13 anced Budget and Emergency Deficit Control Act of 1985,
14 as amended.

15 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

16 For an additional amount for “Emergency manage-
17 ment planning and assistance” for emergency expenses to
18 respond to the September 11, 2001, terrorist attacks on
19 the United States, \$745,000,000, of which \$175,000,000
20 is for FEMA to make available to the States for State
21 and local all hazards operational planning including re-
22 sponse planning for natural and man-made disasters in-
23 cluding terrorism; \$300,000,000 for programs as author-
24 ized by section 33 of the Federal Fire Prevention and Con-
25 trol Act of 1974, as amended (15 U.S.C. 2201 et seq.);
26 \$92,000,000 for the existing national urban search and

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.

11 CERRO GRANDE FIRE CLAIMS

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

18 NATIONAL SCIENCE FOUNDATION

19 EDUCATION AND HUMAN RESOURCES

20 For an additional amount for “Education and human
 21 resources” for emergency expenses to respond to emergent
 22 needs in cyber security, \$19,300,000: *Provided*, That the
 23 entire amount is designated by the Congress as an emer-
 24 gency requirement pursuant to section 251(b)(2)(A) of the
 25 Balanced Budget and Emergency Deficit Control Act of
 26 1985, as amended.

1 GENERAL PROVISIONS, THIS CHAPTER

2 SEC. 1201. The Secretary of Housing and Urban De-
3 velopment shall continue to administer the Disposition of
4 Assets in Revitalization Areas program as provided in sec-
5 tion 602 of Public Law 105–276 and the Secretary shall
6 renew all contracts and enter into new contracts with eligi-
7 ble participants in a manner consistent with the require-
8 ments of such section.

9 SEC. 1202. The Secretary of Housing and Urban De-
10 velopment shall submit a report every 90 days to the
11 House and Senate Committees on Appropriations on the
12 status of any multifamily housing project (including all
13 hospitals and nursing homes) insured under the National
14 Housing Act that has been in default for longer than 60
15 days. The report shall include the location of the property,
16 the reason for the default, and all actions taken by the
17 Secretary and owner with regard to the default, including
18 any work-out agreements, the status and terms of any as-
19 sistance or loans, and any transfer of an ownership inter-
20 est in the property (including any assistance or loans made
21 to the prior, current or intended owner of the property
22 or to the local unit of government in which the property
23 is located).

24 SEC. 1203. For purposes of assessing the use of Staf-
25 ford Apartments (FHA Project No: 052–44163) as stu-

1 dent housing, notwithstanding any other provision of
2 law—

3 (1) such property shall not be considered an eli-
4 gible multifamily housing project pursuant to section
5 512(2) of MAHRAA for a period not to exceed 24
6 months from the date of enactment of this amend-
7 ment, and the Secretary shall offer to extend the
8 current Section 8 contract at rent levels as in effect
9 during fiscal year 2001, subject to annual operating
10 cost adjustment factor increases, for a continuous
11 period commencing October 1, 2001 not to exceed
12 24 months from the date of enactment of this
13 amendment, provided that such contract shall be ex-
14 tended further at such rent levels to accomplish a
15 mortgage restructuring if required after such 24
16 month period for a period of the earlier of one year
17 or the closing of the restructuring plan as set forth
18 in the regulations promulgated at 24 CFR Part 401
19 as now in effect;

20 (2) subject to the concurrence by the Secretary
21 of a relocation plan for current tenants, all of the
22 units in the projects may be available for student
23 housing notwithstanding any federal use restrictions
24 including those required pursuant to Section 201 of
25 the Housing and Community Development Amend-

1 ments of 1978, as amended, and Section 250 of the
2 National Housing Act, as amended; and

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

9 **TITLE II—GENERAL PROVISIONS**

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

14 **SEC. 2002. (a) IN GENERAL.**—Any amount appro-
15 priated in this Act that is designated by the Congress as
16 an emergency requirement pursuant to section
17 251(b)(2)(A) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985, as amended, shall not be
19 available for obligation unless all such amounts appro-
20 priated in this Act are designated by the President, upon
21 enactment of this Act, as emergency requirements pursu-
22 ant to that section.

23 **(b) EXCEPTION.**—Subsection (a) shall not apply to
24 chapter 3 of title I.

1 This Act may be cited as the “2002 Supplemental
2 Appropriations Act for Further Recovery From and Re-
3 sponse To Terrorist Attacks on the United States”.

Calendar No. 384

107TH CONGRESS
2D SESSION

S. 2551

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