

***In the Senate of the United States,***

*January 23, 2003.*

*Resolved,* That the resolution from the House of Representatives (H.J. Res. 2) entitled “Joint resolution making further continuing appropriations for fiscal year 2003, and for other purposes.” do pass with the following

**AMENDMENT:**

Strike out all after the resolving clause and insert:

1 *DIVISION A—AGRICULTURE, RURAL DEVELOP-*  
2 *MENT, FOOD AND DRUG ADMINISTRATION,*  
3 *AND RELATED AGENCIES PROGRAMS APPRO-*  
4 *PRIATIONS, 2003*

5 *Making appropriations for Agriculture, Rural Develop-*  
6 *ment, Food and Drug Administration, and Related*  
7 *Agencies programs for the fiscal year ending Sep-*  
8 *tember 30, 2003, and for other purposes.*

9 *That the following sums are appropriated, out of any*  
10 *money in the Treasury not otherwise appropriated, for Ag-*  
11 *riculture, Rural Development, Food and Drug Administra-*

1 *tion, and Related Agencies programs for the fiscal year end-*  
 2 *ing September 30, 2003, and for other purposes, namely:*

3 *TITLE I*

4 *AGRICULTURAL PROGRAMS*

5 *PRODUCTION, PROCESSING, AND MARKETING*

6 *OFFICE OF THE SECRETARY*

7 *For necessary expenses of the Office of the Secretary*  
 8 *of Agriculture, and not to exceed \$75,000 for employment*  
 9 *under 5 U.S.C. 3109, \$3,412,000: Provided, That not to ex-*  
 10 *ceed \$11,000 of this amount shall be available for official*  
 11 *reception and representation expenses, not otherwise pro-*  
 12 *vided for, as determined by the Secretary.*

13 *EXECUTIVE OPERATIONS*

14 *CHIEF ECONOMIST*

15 *For necessary expenses of the Chief Economist, includ-*  
 16 *ing economic analysis, risk assessment, cost-benefit anal-*  
 17 *ysis, energy and new uses, and the functions of the World*  
 18 *Agricultural Outlook Board, as authorized by the Agricul-*  
 19 *tural Marketing Act of 1946 (7 U.S.C. 1622g), and includ-*  
 20 *ing employment pursuant to the second sentence of section*  
 21 *706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which*  
 22 *not to exceed \$5,000 is for employment under 5 U.S.C.*  
 23 *3109, \$12,016,000.*

24 *NATIONAL APPEALS DIVISION*

25 *For necessary expenses of the National Appeals Divi-*  
 26 *sion, including employment pursuant to the second sentence*

1 of section 706(a) of the Organic Act of 1944 (7 U.S.C.  
 2 2225), of which not to exceed \$25,000 is for employment  
 3 under 5 U.S.C. 3109, \$13,759,000.

4 OFFICE OF BUDGET AND PROGRAM ANALYSIS

5 For necessary expenses of the Office of Budget and Pro-  
 6 gram Analysis, including employment pursuant to the sec-  
 7 ond sentence of section 706(a) of the Organic Act of 1944  
 8 (7 U.S.C. 2225), of which not to exceed \$5,000 is for em-  
 9 ployment under 5 U.S.C. 3109, \$7,358,000.

10 OFFICE OF THE CHIEF INFORMATION OFFICER

11 For necessary expenses of the Office of the Chief Infor-  
 12 mation Officer, including employment pursuant to the sec-  
 13 ond sentence of section 706(a) of the Organic Act of 1944  
 14 (7 U.S.C. 2225), of which not to exceed \$10,000 is for em-  
 15 ployment under 5 U.S.C. 3109, \$31,275,000.

16 COMMON COMPUTING ENVIRONMENT

17 For necessary expenses to acquire a Common Com-  
 18 puting Environment for the Natural Resources Conserva-  
 19 tion Service, the Farm and Foreign Agricultural Service  
 20 and Rural Development mission areas for information tech-  
 21 nology, systems, and services, \$133,155,000, to remain  
 22 available until expended, for the capital asset acquisition  
 23 of shared information technology systems, including services  
 24 as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–  
 25 28: Provided, That obligation of these funds shall be con-  
 26 sistent with the Department of Agriculture Service Center

1 *Modernization Plan of the county-based agencies, and shall*  
 2 *be with the concurrence of the Department's Chief Informa-*  
 3 *tion Officer.*

4 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

5 *For necessary expenses of the Office of the Chief Finan-*  
 6 *cial Officer, including employment pursuant to the second*  
 7 *sentence of section 706(a) of the Organic Act of 1944 (7*  
 8 *U.S.C. 2225), of which not to exceed \$10,000 is for employ-*  
 9 *ment under 5 U.S.C. 3109, \$7,877,000: Provided, That the*  
 10 *Chief Financial Officer shall actively market and expand*  
 11 *cross-servicing activities of the National Finance Center.*

12 *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

13 *RIGHTS*

14 *For necessary salaries and expenses of the Office of the*  
 15 *Assistant Secretary for Civil Rights, \$400,000.*

16 *OFFICE OF THE ASSISTANT SECRETARY FOR*

17 *ADMINISTRATION*

18 *For necessary salaries and expenses of the Office of the*  
 19 *Assistant Secretary for Administration to carry out the*  
 20 *programs funded by this Act, \$780,000.*

21 *AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL*

22 *PAYMENTS*

23 *(INCLUDING TRANSFERS OF FUNDS)*

24 *For payment of space rental and related costs pursu-*  
 25 *ant to Public Law 92-313, including authorities pursuant*

1 *to the 1984 delegation of authority from the Administrator*  
2 *of General Services to the Department of Agriculture under*  
3 *40 U.S.C. 486, for programs and activities of the Depart-*  
4 *ment which are included in this Act, and for alterations*  
5 *and other actions needed for the Department and its agen-*  
6 *cies to consolidate unneeded space into configurations suit-*  
7 *able for release to the Administrator of General Services,*  
8 *and for the operation, maintenance, improvement, and re-*  
9 *pair of Agriculture buildings and facilities, and for related*  
10 *costs, \$197,662,000, to remain available until expended:*  
11 *Provided, That the Secretary of Agriculture may transfer*  
12 *a share of that agency's appropriation made available by*  
13 *this Act to this appropriation, or may transfer a share of*  
14 *this appropriation to that agency's appropriation to cover*  
15 *the costs of new or replacement space for such agency, but*  
16 *such transfers shall not exceed 5 percent of the funds made*  
17 *available for space rental and related costs to or from this*  
18 *account.*

19 *HAZARDOUS MATERIALS MANAGEMENT*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For necessary expenses of the Department of Agri-*  
22 *culture, to comply with the Comprehensive Environmental*  
23 *Response, Compensation, and Liability Act (42 U.S.C.*  
24 *9601 et seq.) and the Resource Conservation and Recovery*  
25 *Act (42 U.S.C. 6901 et seq.), \$15,685,000, to remain avail-*

1 *able until expended: Provided, That appropriations and*  
2 *funds available herein to the Department for Hazardous*  
3 *Materials Management may be transferred to any agency*  
4 *of the Department for its use in meeting all requirements*  
5 *pursuant to the above Acts on Federal and non-Federal*  
6 *lands.*

7 *DEPARTMENTAL ADMINISTRATION*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 *For Departmental Administration, \$42,479,000, to*  
10 *provide for necessary expenses for management support*  
11 *services to offices of the Department and for general admin-*  
12 *istration and disaster management of the Department, re-*  
13 *pairs and alterations, and other miscellaneous supplies and*  
14 *expenses not otherwise provided for and necessary for the*  
15 *practical and efficient work of the Department, including*  
16 *employment pursuant to the second sentence of section*  
17 *706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which*  
18 *not to exceed \$10,000 is for employment under 5 U.S.C.*  
19 *3109: Provided, That this appropriation shall be reim-*  
20 *bursed from applicable appropriations in this Act for travel*  
21 *expenses incident to the holding of hearings as required by*  
22 *5 U.S.C. 551–558.*

1            *OFFICE OF THE ASSISTANT SECRETARY FOR*  
2                            *CONGRESSIONAL RELATIONS*  
3                            *(INCLUDING TRANSFERS OF FUNDS)*

4            *For necessary salaries and expenses of the Office of the*  
5 *Assistant Secretary for Congressional Relations to carry out*  
6 *the programs funded by this Act, including programs in-*  
7 *volving intergovernmental affairs and liaison within the ex-*  
8 *ecutive branch, \$4,157,000: Provided, That these funds may*  
9 *be transferred to agencies of the Department of Agriculture*  
10 *funded by this Act to maintain personnel at the agency*  
11 *level: Provided further, That no other funds appropriated*  
12 *to the Department by this Act shall be available to the De-*  
13 *partment for support of activities of congressional relations.*

14                            *OFFICE OF COMMUNICATIONS*

15            *For necessary expenses to carry out services relating*  
16 *to the coordination of programs involving public affairs,*  
17 *for the dissemination of agricultural information, and the*  
18 *coordination of information, work, and programs author-*  
19 *ized by Congress in the Department, \$9,637,000, including*  
20 *employment pursuant to the second sentence of section*  
21 *706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which*  
22 *not to exceed \$10,000 shall be available for employment*  
23 *under 5 U.S.C. 3109, and not to exceed \$2,000,000 may*  
24 *be used for farmers' bulletins.*

1                    *OFFICE OF THE INSPECTOR GENERAL*

2            *For necessary expenses of the Office of the Inspector*  
3 *General, including employment pursuant to the second sen-*  
4 *tence of section 706(a) of the Organic Act of 1944 (7 U.S.C.*  
5 *2225), and the Inspector General Act of 1978, \$78,127,000,*  
6 *including such sums as may be necessary for contracting*  
7 *and other arrangements with public agencies and private*  
8 *persons pursuant to section 6(a)(9) of the Inspector General*  
9 *Act of 1978, including not to exceed \$50,000 for employ-*  
10 *ment under 5 U.S.C. 3109; and including not to exceed*  
11 *\$125,000 for certain confidential operational expenses, in-*  
12 *cluding the payment of informants, to be expended under*  
13 *the direction of the Inspector General pursuant to Public*  
14 *Law 95-452 and section 1337 of Public Law 97-98.*

15                    *OFFICE OF THE GENERAL COUNSEL*

16            *For necessary expenses of the Office of the General*  
17 *Counsel, \$35,588,000.*

18                    *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*19                    *EDUCATION AND ECONOMICS*

20            *For necessary salaries and expenses of the Office of the*  
21 *Under Secretary for Research, Education and Economics*  
22 *to administer the laws enacted by the Congress for the Eco-*  
23 *nomics Research Service, the National Agricultural Statis-*  
24 *tics Service, the Agricultural Research Service, and the Co-*



1 *operative State Research, Education, and Extension Serv-*  
2 *ice, \$780,000.*

3 *ECONOMIC RESEARCH SERVICE*

4 *For necessary expenses of the Economic Research Serv-*  
5 *ice in conducting economic research and analysis, as au-*  
6 *thorized by the Agricultural Marketing Act of 1946 (7*  
7 *U.S.C. 1621–1627) and other laws, \$65,123,000: Provided,*  
8 *That this appropriation shall be available for employment*  
9 *pursuant to the second sentence of section 706(a) of the Or-*  
10 *ganic Act of 1944 (7 U.S.C. 2225).*

11 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

12 *For necessary expenses of the National Agricultural*  
13 *Statistics Service in conducting statistical reporting and*  
14 *service work, including crop and livestock estimates, statis-*  
15 *tical coordination and improvements, marketing surveys,*  
16 *and the Census of Agriculture, as authorized by 7 U.S.C.*  
17 *1621–1627 and 2204g, and other laws, \$140,854,000, of*  
18 *which up to \$41,274,000 shall be available until expended*  
19 *for the Census of Agriculture: Provided, That this appro-*  
20 *priation shall be available for employment pursuant to the*  
21 *second sentence of section 706(a) of the Organic Act of 1944*  
22 *(7 U.S.C. 2225), and not to exceed \$40,000 shall be avail-*  
23 *able for employment under 5 U.S.C. 3109.*

1                    *AGRICULTURAL RESEARCH SERVICE*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses to enable the Agricultural Re-*  
4 *search Service to perform agricultural research and dem-*  
5 *onstration relating to production, utilization, marketing,*  
6 *and distribution (not otherwise provided for); home econom-*  
7 *ics or nutrition and consumer use including the acquisition,*  
8 *preservation, and dissemination of agricultural informa-*  
9 *tion; and for acquisition of lands by donation, exchange,*  
10 *or purchase at a nominal cost not to exceed \$100, and for*  
11 *land exchanges where the lands exchanged shall be of equal*  
12 *value or shall be equalized by a payment of money to the*  
13 *grantor which shall not exceed 25 percent of the total value*  
14 *of the land or interests transferred out of Federal ownership,*  
15 *\$1,053,597,000: Provided, That appropriations hereunder*  
16 *shall be available for temporary employment pursuant to*  
17 *the second sentence of section 706(a) of the Organic Act of*  
18 *1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be*  
19 *available for employment under 5 U.S.C. 3109: Provided*  
20 *further, That appropriations hereunder shall be available*  
21 *for the operation and maintenance of aircraft and the pur-*  
22 *chase of not to exceed one for replacement only: Provided*  
23 *further, That appropriations hereunder shall be available*  
24 *pursuant to 7 U.S.C. 2250 for the construction, alteration,*  
25 *and repair of buildings and improvements, but unless other-*

1 *wise provided, the cost of constructing any one building*  
2 *shall not exceed \$375,000, except for headhouses or green-*  
3 *houses which shall each be limited to \$1,200,000, and except*  
4 *for 10 buildings to be constructed or improved at a cost*  
5 *not to exceed \$750,000 each, and the cost of altering any*  
6 *one building during the fiscal year shall not exceed 10 per-*  
7 *cent of the current replacement value of the building or*  
8 *\$375,000, whichever is greater: Provided further, That the*  
9 *limitations on alterations contained in this Act shall not*  
10 *apply to modernization or replacement of existing facilities*  
11 *at Beltsville, Maryland: Provided further, That appropria-*  
12 *tions hereunder shall be available for granting easements*  
13 *at the Beltsville Agricultural Research Center: Provided fur-*  
14 *ther, That the foregoing limitations shall not apply to re-*  
15 *placement of buildings needed to carry out the Act of April*  
16 *24, 1948 (21 U.S.C. 113a): Provided further, That funds*  
17 *may be received from any State, other political subdivision,*  
18 *organization, or individual for the purpose of establishing*  
19 *or operating any research facility or research project of the*  
20 *Agricultural Research Service, as authorized by law.*

21 *None of the funds in the foregoing paragraph shall be*  
22 *available to carry out research related to the production,*  
23 *processing or marketing of tobacco or tobacco products.*

24 *In fiscal year 2003, the agency is authorized to charge*  
25 *fees, commensurate with the fair market value, for any per-*

1 *mit, easement, lease, or other special use authorization for*  
 2 *the occupancy or use of land and facilities (including land*  
 3 *and facilities at the Beltsville Agricultural Research Center)*  
 4 *issued by the agency, as authorized by law, and such fees*  
 5 *shall be credited to this account, and shall remain available*  
 6 *until expended for authorized purposes.*

7 *BUILDINGS AND FACILITIES*

8 *For acquisition of land, construction, repair, improve-*  
 9 *ment, extension, alteration, and purchase of fixed equip-*  
 10 *ment or facilities as necessary to carry out the agricultural*  
 11 *research programs of the Department of Agriculture, where*  
 12 *not otherwise provided, \$100,955,000, to remain available*  
 13 *until expended: Provided, That funds may be received from*  
 14 *any State, other political subdivision, organization, or in-*  
 15 *dividual for the purpose of establishing any research facility*  
 16 *of the Agricultural Research Service, as authorized by law.*

17 *COOPERATIVE STATE RESEARCH, EDUCATION, AND*  
 18 *EXTENSION SERVICE*

19 *RESEARCH AND EDUCATION ACTIVITIES*

20 *For payments to agricultural experiment stations, for*  
 21 *cooperative forestry and other research, for facilities, and*  
 22 *for other expenses, \$651,411,000, as follows: to carry out*  
 23 *the provisions of the Hatch Act of 1887 (7 U.S.C. 361a-*  
 24 *i), \$185,553,000; for grants for cooperative forestry research*  
 25 *(16 U.S.C. 582a through a-7), \$22,541,000; for payments*  
 26 *to the 1890 land-grant colleges, including Tuskegee Univer-*

1 *sity (7 U.S.C. 3222), \$35,643,000, of which \$1,507,496 shall*  
2 *be made available only for the purpose of ensuring that each*  
3 *institution shall receive no less than \$1,000,000; for special*  
4 *grants for agricultural research (7 U.S.C. 450i(c)),*  
5 *\$103,834,000; for special grants for agricultural research*  
6 *on improved pest control (7 U.S.C. 450i(c)), \$15,006,000;*  
7 *for competitive research grants (7 U.S.C. 450i(b)),*  
8 *\$204,263,000; for the support of animal health and disease*  
9 *programs (7 U.S.C. 3195), \$5,251,000; for supplemental*  
10 *and alternative crops and products (7 U.S.C. 3319d),*  
11 *\$1,000,000; for grants for research pursuant to the Critical*  
12 *Agricultural Materials Act (7 U.S.C. 178 et seq.),*  
13 *\$1,500,000, to remain available until expended; for research*  
14 *grants for 1994 institutions pursuant to section 536 of Pub-*  
15 *lic Law 103–382 (7 U.S.C. 301 note), \$1,000,000, to remain*  
16 *available until expended; for higher education graduate fel-*  
17 *lowship grants (7 U.S.C. 3152(b)(6)), \$2,993,000, to remain*  
18 *available until expended (7 U.S.C. 2209b); for higher edu-*  
19 *cation challenge grants (7 U.S.C. 3152(b)(1)), \$4,340,000;*  
20 *for a higher education multicultural scholars program (7*  
21 *U.S.C. 3152(b)(5)), \$998,000, to remain available until ex-*  
22 *pended (7 U.S.C. 2209b); for an education grants program*  
23 *for Hispanic-serving Institutions (7 U.S.C. 3241),*  
24 *\$3,500,000; for noncompetitive grants for the purpose of*  
25 *carrying out all provisions of 7 U.S.C. 3242 (section 759*

1 of Public Law 106–78) to individual eligible institutions  
2 or consortia of eligible institutions in Alaska and in Ha-  
3 waii, with funds awarded equally to each of the States of  
4 Alaska and Hawaii, \$3,500,000; for a secondary agri-  
5 culture education program and 2-year post-secondary edu-  
6 cation (7 U.S.C. 3152(j)), \$1,000,000; for aquaculture  
7 grants (7 U.S.C. 3322), \$5,000,000; for sustainable agri-  
8 culture research and education (7 U.S.C. 5811),  
9 \$15,000,000; for a program of capacity building grants (7  
10 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under  
11 the Act of August 30, 1890 (7 U.S.C. 321–326 and 328),  
12 including Tuskegee University, \$11,479,000, to remain  
13 available until expended (7 U.S.C. 2209b); for payments  
14 to the 1994 Institutions pursuant to section 534(a)(1) of  
15 Public Law 103–382, \$1,700,000; and for necessary ex-  
16 penses of Research and Education Activities, of which not  
17 to exceed \$100,000 shall be for employment under 5 U.S.C.  
18 3109, \$26,310,000.

19       None of the funds in the foregoing paragraph shall be  
20 available to carry out research related to the production,  
21 processing or marketing of tobacco or tobacco products: Pro-  
22 vided, That this paragraph shall not apply to research on  
23 the medical, biotechnological, food, and industrial uses of  
24 tobacco.



1 *at-risk programs under section 3(d) of the Smith-Lever Act,*  
 2 *\$8,481,000; for youth farm safety education and certifi-*  
 3 *cation extension grants, to be awarded competitively under*  
 4 *section 3(d) of the Act, \$499,000; payments for carrying*  
 5 *out the provisions of the Renewable Resources Extension Act*  
 6 *of 1978 (16 U.S.C. 1671 et seq.), \$4,093,000; payments for*  
 7 *Indian reservation agents under section 3(d) of the Smith-*  
 8 *Lever Act, \$1,996,000; payments for sustainable agriculture*  
 9 *programs under section 3(d) of the Act, \$5,000,000; pay-*  
 10 *ments for rural health and safety education as authorized*  
 11 *by section 502(i) of Public Law 92-419 (7 U.S.C. 2662(i)),*  
 12 *\$2,622,000; payments for cooperative extension work by the*  
 13 *colleges receiving the benefits of the second Morrill Act (7*  
 14 *U.S.C. 321-326 and 328) and Tuskegee University,*  
 15 *\$32,117,000, of which \$1,724,884 shall be made available*  
 16 *only for the purpose of ensuring that each institution shall*  
 17 *receive no less than \$1,000,000; for grants to youth organi-*  
 18 *zations pursuant to section 7630 of title 7, United States*  
 19 *Code, \$3,000,000; and for necessary expenses of extension*  
 20 *activities, \$20,666,000.*

21 *INTEGRATED ACTIVITIES*

22 *For the integrated research, education, and extension*  
 23 *competitive grants programs, including necessary adminis-*  
 24 *trative expenses, as authorized under section 406 of the Ag-*  
 25 *ricultural Research, Extension, and Education Reform Act*  
 26 *of 1998 (7 U.S.C. 7626), \$48,218,000, as follows: payments*



1 *for the water quality program, \$12,971,000; payments for*  
2 *the food safety program, \$14,967,000; payments for the re-*  
3 *gional pest management centers program, \$4,531,000; pay-*  
4 *ments for the Food Quality Protection Act risk mitigation*  
5 *program for major food crop systems, \$4,889,000; payments*  
6 *for the crops affected by Food Quality Protection Act imple-*  
7 *mentation, \$1,497,000; payments for the methyl bromide*  
8 *transition program, \$3,000,000; payments for the organic*  
9 *transition program, \$1,750,000; and payments for agricul-*  
10 *tural technology, \$2,600,000: Provided, That of the funds*  
11 *made available under this heading, \$500,000 shall be for*  
12 *payments for the critical issues program under 7 U.S.C.*  
13 *450i(c) and \$1,513,000 shall be for payments for the re-*  
14 *gional rural development centers program under 7 U.S.C.*  
15 *450i(c).*

16 *OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS*

17 *For grants and contracts pursuant to section 2501 of*  
18 *the Food, Agriculture, Conservation, and Trade Act of 1990*  
19 *(7 U.S.C. 2279), \$3,493,000, to remain available until ex-*  
20 *pended.*

21 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*  
22 *REGULATORY PROGRAMS*

23 *For necessary salaries and expenses of the Office of the*  
24 *Under Secretary for Marketing and Regulatory Programs*  
25 *to administer programs under the laws enacted by the Con-*  
26 *gress for the Animal and Plant Health Inspection Service;*

1 *the Agricultural Marketing Service; and the Grain Inspec-*  
2 *tion, Packers and Stockyards Administration; \$780,000.*

3 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For expenses, not otherwise provided for, necessary to*  
7 *prevent, control, and eradicate pests and plant and animal*  
8 *diseases; to carry out inspection, quarantine, and regu-*  
9 *latory activities; and to protect the environment, as author-*  
10 *ized by law, \$735,673,000, of which \$4,103,000 shall be*  
11 *available for the control of outbreaks of insects, plant dis-*  
12 *eases, animal diseases and for control of pest animals and*  
13 *birds to the extent necessary to meet emergency conditions;*  
14 *of which \$62,000,000 shall be used for the boll weevil eradi-*  
15 *cation program for cost share purposes or for debt retire-*  
16 *ment for active eradication zones: Provided, That no funds*  
17 *shall be used to formulate or administer a brucellosis eradi-*  
18 *cation program for the current fiscal year that does not re-*  
19 *quire minimum matching by the States of at least 40 per-*  
20 *cent: Provided further, That this appropriation shall be*  
21 *available for field employment pursuant to the second sen-*  
22 *tence of section 706(a) of the Organic Act of 1944 (7 U.S.C.*  
23 *2225), and not to exceed \$40,000 shall be available for em-*  
24 *ployment under 5 U.S.C. 3109: Provided further, That this*  
25 *appropriation shall be available for the operation and*  
26 *maintenance of aircraft and the purchase of not to exceed*

1 *four, of which two shall be for replacement only: Provided*  
2 *further, That, in addition, in emergencies which threaten*  
3 *any segment of the agricultural production industry of this*  
4 *country, the Secretary may transfer from other appropria-*  
5 *tions or funds available to the agencies or corporations of*  
6 *the Department such sums as may be deemed necessary, to*  
7 *be available only in such emergencies for the arrest and*  
8 *eradication of contagious or infectious disease or pests of*  
9 *animals, poultry, or plants, and for expenses in accordance*  
10 *with sections 10411 and 10417 of the Animal Health Pro-*  
11 *tection Act (7 U.S.C. 8310 and 8316) and sections 431 and*  
12 *442 of the Plant Protection Act (7 U.S.C. 7751 and 7772),*  
13 *and any unexpended balances of funds transferred for such*  
14 *emergency purposes in the preceding fiscal year shall be*  
15 *merged with such transferred amounts: Provided further,*  
16 *That appropriations hereunder shall be available pursuant*  
17 *to law (7 U.S.C. 2250) for the repair and alteration of*  
18 *leased buildings and improvements, but unless otherwise*  
19 *provided the cost of altering any one building during the*  
20 *fiscal year shall not exceed 10 percent of the current replace-*  
21 *ment value of the building.*

22 *In fiscal year 2003, the agency is authorized to collect*  
23 *fees to cover the total costs of providing technical assistance,*  
24 *goods, or services requested by States, other political sub-*  
25 *divisions, domestic and international organizations, foreign*

1 *governments, or individuals, provided that such fees are*  
2 *structured such that any entity's liability for such fees is*  
3 *reasonably based on the technical assistance, goods, or serv-*  
4 *ices provided to the entity by the agency, and such fees shall*  
5 *be credited to this account, to remain available until ex-*  
6 *pended, without further appropriation, for providing such*  
7 *assistance, goods, or services.*

8 *BUILDINGS AND FACILITIES*

9 *For plans, construction, repair, preventive mainte-*  
10 *nance, environmental support, improvement, extension, al-*  
11 *teration, and purchase of fixed equipment or facilities, as*  
12 *authorized by 7 U.S.C. 2250, and acquisition of land as*  
13 *authorized by 7 U.S.C. 428a, \$13,189,000, to remain avail-*  
14 *able until expended.*

15 *AGRICULTURAL MARKETING SERVICE*

16 *MARKETING SERVICES*

17 *For necessary expenses to carry out services related to*  
18 *consumer protection, agricultural marketing and distribu-*  
19 *tion, transportation, and regulatory programs, as author-*  
20 *ized by law, and for administration and coordination of*  
21 *payments to States, including field employment pursuant*  
22 *to the second sentence of section 706(a) of the Organic Act*  
23 *of 1944 (7 U.S.C. 2225) and not to exceed \$90,000 for em-*  
24 *ployment under 5 U.S.C. 3109, \$75,411,000, including*  
25 *funds for the wholesale market development program for the*  
26 *design and development of wholesale and farmer market fa-*

1 *ilities for the major metropolitan areas of the country: Pro-*  
 2 *vided, That this appropriation shall be available pursuant*  
 3 *to law (7 U.S.C. 2250) for the alteration and repair of*  
 4 *buildings and improvements, but the cost of altering any*  
 5 *one building during the fiscal year shall not exceed 10 per-*  
 6 *cent of the current replacement value of the building.*

7 *Fees may be collected for the cost of standardization*  
 8 *activities, as established by regulation pursuant to law (31*  
 9 *U.S.C. 9701).*

10 *LIMITATION ON ADMINISTRATIVE EXPENSES LEVEL*

11 *Not to exceed \$61,619,000 (from fees collected) shall be*  
 12 *obligated during the current fiscal year for administrative*  
 13 *expenses: Provided, That if crop size is understated and/*  
 14 *or other uncontrollable events occur, the agency may exceed*  
 15 *this limitation by up to 10 percent with notification to the*  
 16 *Committees on Appropriations of both Houses of Congress.*

17 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

18 *SUPPLY (SECTION 32)*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *Funds available under section 32 of the Act of August*  
 21 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*  
 22 *program expenses as authorized therein, and other related*  
 23 *operating expenses, except for: (1) transfers to the Depart-*  
 24 *ment of Commerce as authorized by the Fish and Wildlife*  
 25 *Act of August 8, 1956; (2) transfers otherwise provided in*  
 26 *this Act; and (3) not more than \$14,910,000 for formulation*

1 *and administration of marketing agreements and orders*  
 2 *pursuant to the Agricultural Marketing Agreement Act of*  
 3 *1937 and the Agricultural Act of 1961.*

4 *PAYMENTS TO STATES AND POSSESSIONS*

5 *For payments to departments of agriculture, bureaus*  
 6 *and departments of markets, and similar agencies for mar-*  
 7 *keting activities under section 204(b) of the Agricultural*  
 8 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,347,000.*

9 *GRAIN INSPECTION, PACKERS AND STOCKYARDS*

10 *ADMINISTRATION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses to carry out the provisions of*  
 13 *the United States Grain Standards Act, for the administra-*  
 14 *tion of the Packers and Stockyards Act, for certifying proce-*  
 15 *dures used to protect purchasers of farm products, and the*  
 16 *standardization activities related to grain under the Agri-*  
 17 *cultural Marketing Act of 1946, including field employment*  
 18 *pursuant to the second sentence of section 706(a) of the Or-*  
 19 *ganic Act of 1944 (7 U.S.C. 2225), and not to exceed*  
 20 *\$25,000 for employment under 5 U.S.C. 3109, \$44,475,000:*  
 21 *Provided, That this appropriation shall be available pursu-*  
 22 *ant to law (7 U.S.C. 2250) for the alteration and repair*  
 23 *of buildings and improvements, but the cost of altering any*  
 24 *one building during the fiscal year shall not exceed 10 per-*  
 25 *cent of the current replacement value of the building.*

1     *LIMITATION ON INSPECTION AND WEIGHING SERVICES*2                                     *EXPENSES*

3             *Not to exceed \$42,463,000 (from fees collected) shall be*  
4 *obligated during the current fiscal year for inspection and*  
5 *weighing services: Provided, That if grain export activities*  
6 *require additional supervision and oversight, or other un-*  
7 *controllable factors occur, this limitation may be exceeded*  
8 *by up to 10 percent with notification to the Committees*  
9 *on Appropriations of both Houses of Congress.*

10    *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

11            *For necessary salaries and expenses of the Office of the*  
12 *Under Secretary for Food Safety to administer the laws en-*  
13 *acted by the Congress for the Food Safety and Inspection*  
14 *Service, \$780,000.*

15                                     *FOOD SAFETY AND INSPECTION SERVICE*

16            *For necessary expenses to carry out services authorized*  
17 *by the Federal Meat Inspection Act, the Poultry Products*  
18 *Inspection Act, and the Egg Products Inspection Act, in-*  
19 *cluding not to exceed \$50,000 for representation allowances*  
20 *and for expenses pursuant to section 8 of the Act approved*  
21 *August 3, 1956 (7 U.S.C. 1766), \$759,759,000, of which no*  
22 *less than \$649,082,000 shall be available for Federal food*  
23 *safety inspection; and in addition, \$1,000,000 may be cred-*  
24 *ited to this account from fees collected for the cost of labora-*  
25 *tory accreditation as authorized by section 1327 of the*

1 *Food, Agriculture, Conservation and Trade Act of 1990 (7*  
 2 *U.S.C. 138f): Provided, That this appropriation shall be*  
 3 *available for field employment pursuant to the second sen-*  
 4 *tence of section 706(a) of the Organic Act of 1944 (7 U.S.C.*  
 5 *2225), and not to exceed \$75,000 shall be available for em-*  
 6 *ployment under 5 U.S.C. 3109: Provided further, That this*  
 7 *appropriation shall be available pursuant to law (7 U.S.C.*  
 8 *2250) for the alteration and repair of buildings and im-*  
 9 *provements, but the cost of altering any one building during*  
 10 *the fiscal year shall not exceed 10 percent of the current*  
 11 *replacement value of the building.*

12 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*  
 13 *FOREIGN AGRICULTURAL SERVICES*

14 *For necessary salaries and expenses of the Office of the*  
 15 *Under Secretary for Farm and Foreign Agricultural Serv-*  
 16 *ices to administer the laws enacted by Congress for the*  
 17 *Farm Service Agency, the Foreign Agricultural Service, the*  
 18 *Risk Management Agency, and the Commodity Credit Cor-*  
 19 *poration, \$899,000.*

20 *FARM SERVICE AGENCY*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For necessary expenses for carrying out the adminis-*  
 24 *tration and implementation of programs administered by*  
 25 *the Farm Service Agency, \$986,913,000: Provided, That the*  
 26 *Secretary is authorized to use the services, facilities, and*



1 *authorities (but not the funds) of the Commodity Credit*  
2 *Corporation to make program payments for all programs*  
3 *administered by the Agency: Provided further, That other*  
4 *funds made available to the Agency for authorized activities*  
5 *may be advanced to and merged with this account: Provided*  
6 *further, That these funds shall be available for employment*  
7 *pursuant to the second sentence of section 706(a) of the Or-*  
8 *ganic Act of 1944 (7 U.S.C. 2225), and not to exceed*  
9 *\$1,000,000 shall be available for employment under 5*  
10 *U.S.C. 3109.*

11 *STATE MEDIATION GRANTS*

12 *For grants pursuant to section 502(b) of the Agricul-*  
13 *tural Credit Act of 1987 (7 U.S.C. 5102(b)), \$4,000,000.*

14 *DAIRY INDEMNITY PROGRAM*

15 *For necessary expenses involved in making indemnity*  
16 *payments to dairy farmers and manufacturers of dairy*  
17 *products under a dairy indemnity program, \$100,000, to*  
18 *remain available until expended: Provided, That such pro-*  
19 *gram is carried out by the Secretary in the same manner*  
20 *as the dairy indemnity program described in the Agri-*  
21 *culture, Rural Development, Food and Drug Administra-*  
22 *tion, and Related Agencies Appropriations Act, 2001 (Pub-*  
23 *lic Law 106–387; 114 Stat. 1549A–12).*



1 *for direct loans; and Indian tribe land acquisition loans,*  
2 *\$179,000.*

3 *In addition, for administrative expenses necessary to*  
4 *carry out the direct and guaranteed loan programs,*  
5 *\$287,176,000, of which \$279,176,000 shall be transferred to*  
6 *and merged with the appropriation for “Farm Service*  
7 *Agency, Salaries and Expenses”.*

8 *Funds appropriated by this Act to the Agricultural*  
9 *Credit Insurance Program Account for farm ownership and*  
10 *operating direct loans and guaranteed loans may be trans-*  
11 *ferred among these programs: Provided, That the Commit-*  
12 *tees on Appropriations of both Houses of Congress are noti-*  
13 *fied at least 15 days in advance of any transfer.*

#### 14 *RISK MANAGEMENT AGENCY*

15 *For administrative and operating expenses, as author-*  
16 *ized by section 226A of the Department of Agriculture Reor-*  
17 *ganization Act of 1994 (7 U.S.C. 6933), \$70,708,000: Pro-*  
18 *vided, That not to exceed \$700 shall be available for official*  
19 *reception and representation expenses, as authorized by 7*  
20 *U.S.C. 1506(i).*

#### 21 *CORPORATIONS*

22 *The following corporations and agencies are hereby au-*  
23 *thorized to make expenditures, within the limits of funds*  
24 *and borrowing authority available to each such corporation*  
25 *or agency and in accord with law, and to make contracts*

1 *and commitments without regard to fiscal year limitations*  
2 *as provided by section 104 of the Government Corporation*  
3 *Control Act as may be necessary in carrying out the pro-*  
4 *grams set forth in the budget for the current fiscal year for*  
5 *such corporation or agency, except as hereinafter provided.*

6 *FEDERAL CROP INSURANCE CORPORATION FUND*

7 *For payments as authorized by section 516 of the Fed-*  
8 *eral Crop Insurance Act, such sums as may be necessary,*  
9 *to remain available until expended.*

10 *COMMODITY CREDIT CORPORATION FUND*

11 *REIMBURSEMENT FOR NET REALIZED LOSSES*

12 *For fiscal year 2003, such sums as may be necessary*  
13 *to reimburse the Commodity Credit Corporation for net re-*  
14 *alized losses sustained, but not previously reimbursed, pur-*  
15 *suant to section 2 of the Act of August 17, 1961 (15 U.S.C.*  
16 *713a-11).*

17 *HAZARDOUS WASTE MANAGEMENT*

18 *(LIMITATION ON EXPENSES)*

19 *For fiscal year 2003, the Commodity Credit Corpora-*  
20 *tion shall not expend more than \$5,000,000 for site inves-*  
21 *tigation and cleanup expenses, and operations and mainte-*  
22 *nance expenses to comply with the requirement of section*  
23 *107(g) of the Comprehensive Environmental Response,*  
24 *Compensation, and Liability Act, 42 U.S.C. 9607(g), and*  
25 *section 6001 of the Resource Conservation and Recovery*  
26 *Act, 42 U.S.C. 6961.*



1 of permanent and temporary buildings; and operation and  
2 maintenance of aircraft, \$840,002,000, to remain available  
3 until expended, of which not less than \$9,162,000 is for  
4 snow survey and water forecasting, and not less than  
5 \$10,701,000 is for operation and establishment of the plant  
6 materials centers, and of which not less than \$23,500,000  
7 shall be for the grazing lands conservation initiative: Pro-  
8 vided, That appropriations hereunder shall be available  
9 pursuant to 7 U.S.C. 2250 for construction and improve-  
10 ment of buildings and public improvements at plant mate-  
11 rials centers, except that the cost of alterations and im-  
12 provements to other buildings and other public improve-  
13 ments shall not exceed \$250,000: Provided further, That  
14 when buildings or other structures are erected on non-Fed-  
15 eral land, that the right to use such land is obtained as  
16 provided in 7 U.S.C. 2250a: Provided further, That this  
17 appropriation shall be available for technical assistance  
18 and related expenses to carry out programs authorized by  
19 section 202(c) of title II of the Colorado River Basin Salin-  
20 ity Control Act of 1974 (43 U.S.C. 1592(c)): Provided fur-  
21 ther, That this appropriation shall be available for employ-  
22 ment pursuant to the second sentence of section 706(a) of  
23 the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed  
24 \$25,000 shall be available for employment under 5 U.S.C.  
25 3109: Provided further, That qualified local engineers may

1 *be temporarily employed at per diem rates to perform the*  
2 *technical planning work of the Service: Provided further,*  
3 *That none of the funds made available under this para-*  
4 *graph by this or any other appropriations Act may be used*  
5 *to provide technical assistance with respect to programs*  
6 *listed in section 1241(a) of the Food Security Act of 1985*  
7 *(16 U.S.C. 3841(a)).*

8 *WATERSHED SURVEYS AND PLANNING*

9 *For necessary expenses to conduct research, investiga-*  
10 *tion, and surveys of watersheds of rivers and other water-*  
11 *ways, and for small watershed investigations and planning,*  
12 *in accordance with the Watershed Protection and Flood*  
13 *Prevention Act (16 U.S.C. 1001–1009), \$10,960,000: Pro-*  
14 *vided, That this appropriation shall be available for em-*  
15 *ployment pursuant to the second sentence of section 706(a)*  
16 *of the Organic Act of 1944 (7 U.S.C. 2225), and not to*  
17 *exceed \$110,000 shall be available for employment under*  
18 *5 U.S.C. 3109.*

19 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

20 *For necessary expenses to carry out preventive meas-*  
21 *ures, including but not limited to research, engineering op-*  
22 *erations, methods of cultivation, the growing of vegetation,*  
23 *rehabilitation of existing works and changes in use of land,*  
24 *in accordance with the Watershed Protection and Flood*  
25 *Prevention Act approved August 4, 1954 (16 U.S.C. 1001–*  
26 *1005 and 1007–1009), the provisions of the Act of April*

1 27, 1935 (16 U.S.C. 590a–f), and in accordance with the  
2 provisions of laws relating to the activities of the Depart-  
3 ment, \$105,000,000, to remain available until expended (of  
4 which up to \$15,000,000 may be available for the water-  
5 sheds authorized under the Flood Control Act approved  
6 June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): Pro-  
7 vided, That not to exceed \$45,514,000 of this appropriation  
8 shall be available for technical assistance: Provided further,  
9 That this appropriation shall be available for employment  
10 pursuant to the second sentence of section 706(a) of the Or-  
11 ganic Act of 1944 (7 U.S.C. 2225), and not to exceed  
12 \$200,000 shall be available for employment under 5 U.S.C.  
13 3109: Provided further, That not to exceed \$1,000,000 of  
14 this appropriation is available to carry out the purposes  
15 of the Endangered Species Act of 1973 (Public Law 93–  
16 205), including cooperative efforts as contemplated by that  
17 Act to relocate endangered or threatened species to other  
18 suitable habitats as may be necessary to expedite project  
19 construction.

20 *WATERSHED REHABILITATION PROGRAM*

21 *For necessary expenses to carry out rehabilitation of*  
22 *structural measures, in accordance with section 14 of the*  
23 *Watershed Protection and Flood Prevention Act (16 U.S.C.*  
24 *1012), and in accordance with the provisions of laws relat-*  
25 *ing to the activities of the Department, \$30,000,000, to re-*  
26 *main available until expended.*





1           *RURAL COMMUNITY ADVANCEMENT PROGRAM*2                   *(INCLUDING TRANSFERS OF FUNDS)*

3           *For the cost of direct loans, loan guarantees, and*  
4 *grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,*  
5 *1926d, and 1932, except for sections 381E–H and 381N of*  
6 *the Consolidated Farm and Rural Development Act,*  
7 *\$867,176,000, to remain available until expended, of which*  
8 *\$97,600,000 shall be for rural community programs de-*  
9 *scribed in section 381E(d)(1) of such Act; of which*  
10 *\$682,814,000 shall be for the rural utilities programs de-*  
11 *scribed in sections 381E(d)(2), 306C(a)(2), and 306D of*  
12 *such Act; and of which \$86,762,000 shall be for the rural*  
13 *business and cooperative development programs described*  
14 *in sections 381E(d)(3) and 310B(f) of such Act: Provided,*  
15 *That of the total amount appropriated in this account,*  
16 *\$24,000,000 shall be for loans and grants to benefit Feder-*  
17 *ally Recognized Native American Tribes, including grants*  
18 *for drinking water and waste disposal systems pursuant to*  
19 *section 306C of such Act, of which \$4,000,000 shall be avail-*  
20 *able for community facilities grants to tribal colleges, as*  
21 *authorized by section 306(a)(19) of the Consolidated Farm*  
22 *and Rural Development Act, and of which \$250,000 shall*  
23 *be available for a grant to a qualified national organization*  
24 *to provide technical assistance for rural transportation in*  
25 *order to promote economic development: Provided further,*  
26 *That of the amount appropriated for rural community pro-*

1 grams, \$10,000,000 shall be available for a Rural Commu-  
2 nity Development Initiative: Provided further, That of the  
3 amount appropriated for the Rural Community Develop-  
4 ment Initiative, not less than \$4,000,000 shall be available  
5 until expended to carry out a demonstration program on  
6 Replicating and Creating Rural Cooperative Home Based  
7 Health Care: Provided further, That of the \$4,000,000 made  
8 available, not less than \$1,500,000 shall be in the form of  
9 predevelopment planning grants, not to exceed \$50,000  
10 each, with the balance for low-interest revolving loans to  
11 be used for capital and other related expenses, and made  
12 available to nonprofit based community development orga-  
13 nizations: Provided further, That such organizations should  
14 demonstrate experience in the administration of revolving  
15 loan programs and providing technical assistance to co-  
16 operatives: Provided further, That a minimum of one plan-  
17 ning grant should be provided to a minority sponsored enti-  
18 ty with three years experience in rural cooperative develop-  
19 ment: Provided further, That of funds appropriated for the  
20 Rural Community Development Initiative, \$6,000,000 shall  
21 be used solely to develop the capacity and ability of private,  
22 nonprofit community-based housing and community devel-  
23 opment organizations, low-income rural communities, and  
24 Federally Recognized Native American Tribes to undertake  
25 projects to improve housing, community facilities, commu-

1 nity and economic development projects in rural areas: Pro-  
2 vided further, That such funds shall be made available to  
3 qualified private, nonprofit and public intermediary orga-  
4 nizations proposing to carry out a program of financial  
5 and technical assistance: Provided further, That such inter-  
6 mediary organizations shall provide matching funds from  
7 other sources, including Federal funds for related activities,  
8 in an amount not less than funds provided: Provided fur-  
9 ther, That of the amount appropriated for the rural business  
10 and cooperative development programs, not to exceed  
11 \$500,000 shall be made available for a grant to a qualified  
12 national organization to provide technical assistance for  
13 rural transportation in order to promote economic develop-  
14 ment; and \$2,000,000 shall be for grants to Delta Regional  
15 Authority (7 U.S.C. 1921 et seq.): Provided further, That  
16 of the amount appropriated for rural utilities programs,  
17 not to exceed \$20,000,000 shall be for water and waste dis-  
18 posal systems to benefit the Colonias along the United  
19 States/Mexico border, including grants pursuant to section  
20 306C of such Act; not to exceed \$30,000,000 shall be for  
21 water and waste disposal systems for rural and native vil-  
22 lages in Alaska pursuant to section 306D of such Act, with  
23 up to 1 percent available to administer the program and  
24 up to 1 percent available to improve interagency coordina-  
25 tion may be transferred to and merged with the appropria-

1 tion for “Rural Development, Salaries and Expenses”; not  
2 to exceed \$19,200,000 shall be for technical assistance  
3 grants for rural water and waste systems pursuant to sec-  
4 tion 306(a)(14) of such Act, of which \$5,775,000 shall be  
5 for Rural Community Assistance Programs; and not to ex-  
6 ceed \$12,100,000 shall be for contracting with qualified na-  
7 tional organizations for a circuit rider program to provide  
8 technical assistance for rural water systems: Provided fur-  
9 ther, That of the total amount appropriated, not to exceed  
10 \$37,624,000 shall be available through June 30, 2003, for  
11 authorized empowerment zones and enterprise communities  
12 and communities designated by the Secretary of Agriculture  
13 as Rural Economic Area Partnership Zones; of which  
14 \$1,163,000 shall be for the rural community programs de-  
15 scribed in section 381E(d)(1) of such Act, of which  
16 \$27,431,000 shall be for the rural utilities programs de-  
17 scribed in section 381E(d)(2) of such Act, and of which  
18 \$9,030,000 shall be for the rural business and cooperative  
19 development programs described in section 381E(d)(3) of  
20 such Act: Provided further, That of the amount appro-  
21 priated for rural community programs, not to exceed  
22 \$25,000,000 shall be to provide grants for facilities in rural  
23 communities with extreme unemployment and severe eco-  
24 nomic depression (Public Law 106–387), with 5 percent for  
25 administration and capacity building in the State rural

1 *development offices: Provided further, That of the amount*  
 2 *appropriated, \$30,000,000 shall be transferred to and*  
 3 *merged with the “Rural Utilities Service, High Energy Cost*  
 4 *Grants Account” to provide grants authorized under section*  
 5 *19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a):*  
 6 *Provided further, That any funds in the “Rural Utilities*  
 7 *Service, High Energy Cost Grants Account” and any re-*  
 8 *maining funds specifically appropriated in fiscal year 2002*  
 9 *for rural communities with extremely high energy costs*  
 10 *under the Rural Community Advancement Program shall*  
 11 *be merged and transferred into the Account: Provided fur-*  
 12 *ther, That any funds in the Account shall be used to provide*  
 13 *grants authorized under section 19 of that Act: Provided*  
 14 *further, That of the funds appropriated by this Act to the*  
 15 *Rural Community Advancement Program for guaranteed*  
 16 *business and industry loans, funds may be transferred to*  
 17 *direct business and industry loans as deemed necessary by*  
 18 *the Secretary and with prior approval of the Committees*  
 19 *on Appropriations of both Houses of Congress.*

20 *RURAL DEVELOPMENT*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For necessary expenses for carrying out the adminis-*  
 24 *tration and implementation of programs in the Rural De-*  
 25 *velopment mission area, including activities with institu-*  
 26 *tions concerning the development and operation of agricul-*

1 *tural cooperatives; and for cooperative agreements;*  
 2 *\$127,502,000: Provided, That this appropriation shall be*  
 3 *available for employment pursuant to the second sentence*  
 4 *of section 706(a) of the Organic Act of 1944 (7 U.S.C.*  
 5 *2225), and not to exceed \$1,000,000 may be used for em-*  
 6 *ployment under 5 U.S.C. 3109: Provided further, That not*  
 7 *more than \$10,000 may be expended to provide modest non-*  
 8 *monetary awards to non-USDA employees: Provided fur-*  
 9 *ther, That any balances available from prior years for the*  
 10 *Rural Utilities Service, Rural Housing Service, and the*  
 11 *Rural Business-Cooperative Service salaries and expenses*  
 12 *accounts shall be transferred to and merged with this appro-*  
 13 *priation.*

14 *RURAL HOUSING SERVICE*

15 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *For gross obligations for the principal amount of di-*  
 18 *rect and guaranteed loans as authorized by title V of the*  
 19 *Housing Act of 1949, to be available from funds in the rural*  
 20 *housing insurance fund, as follows: \$3,755,162,000 for loans*  
 21 *to section 502 borrowers, as determined by the Secretary,*  
 22 *of which \$1,005,162,000 shall be for direct loans, and of*  
 23 *which \$2,750,000,000 shall be for unsubsidized guaranteed*  
 24 *loans; \$35,000,000 for section 504 housing repair loans;*  
 25 *\$120,000,000 for new construction, repair, rehabilitation,*  
 26 *and preservation of section 515 rental housing; \$5,000,000*

1 *for section 524 site loans; \$12,000,000 for credit sales of*  
2 *acquired property, of which up to \$2,000,000 may be for*  
3 *multi-family credit sales; and \$5,011,000 for section 523*  
4 *self-help housing land development loans.*

5 *For the cost of direct and guaranteed loans, including*  
6 *the cost of modifying loans, as defined in section 502 of*  
7 *the Congressional Budget Act of 1974, as follows: section*  
8 *502 loans, \$214,500,000, of which \$194,700,000 shall be for*  
9 *direct loans, and of which \$19,800,000, to remain available*  
10 *until expended, shall be for unsubsidized guaranteed loans;*  
11 *section 504 housing repair loans, \$10,857,000; section 515*  
12 *rental housing, \$55,956,000; section 524 site loans, \$55,000;*  
13 *multi-family credit sales of acquired property, \$934,000;*  
14 *and section 523 self-help housing land development loans,*  
15 *\$221,000: Provided, That of the total amount appropriated*  
16 *in this paragraph, \$11,656,000 shall be available through*  
17 *June 30, 2003, for authorized empowerment zones and en-*  
18 *terprise communities and communities designated by the*  
19 *Secretary of Agriculture as Rural Economic Area Partner-*  
20 *ship Zones.*

21 *In addition, for administrative expenses necessary to*  
22 *carry out the direct and guaranteed loan programs,*  
23 *\$455,630,000, which shall be transferred to and merged*  
24 *with the appropriation for “Rural Development, Salaries*  
25 *and Expenses”.*





1 *available through June 30, 2003, for authorized empower-*  
2 *ment zones and enterprise communities and communities*  
3 *designated by the Secretary of Agriculture as Rural Eco-*  
4 *nomic Area Partnership Zones.*

5 *RURAL HOUSING ASSISTANCE GRANTS*

6 *For grants and contracts for very low-income housing*  
7 *repair, supervisory and technical assistance, compensation*  
8 *for construction defects, and rural housing preservation*  
9 *made by the Rural Housing Service, as authorized by 42*  
10 *U.S.C. 1474, 1479(c), 1490e, and 1490m, \$47,498,000, to*  
11 *remain available until expended: Provided, That of the total*  
12 *amount appropriated, \$1,200,000 shall be available through*  
13 *June 30, 2003, for authorized empowerment zones and en-*  
14 *terprise communities and communities designated by the*  
15 *Secretary of Agriculture as Rural Economic Area Partner-*  
16 *ship Zones.*

17 *FARM LABOR PROGRAM ACCOUNT*

18 *For the cost of direct loans, grants, and contracts, as*  
19 *authorized by 42 U.S.C. 1484 and 1486, \$34,615,000, to*  
20 *remain available until expended, for direct farm labor hous-*  
21 *ing loans and domestic farm labor housing grants and con-*  
22 *tracts.*

1           *RURAL BUSINESS-COOPERATIVE SERVICE*  
2       *RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT*  
3           *(INCLUDING TRANSFER OF FUNDS)*

4       *For the principal amount of direct loans, as authorized*  
5 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*  
6 *\$40,000,000.*

7       *For the cost of direct loans, \$19,304,000, as authorized*  
8 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*  
9 *of which \$1,724,000 shall be available through June 30,*  
10 *2003, for Federally Recognized Native American Tribes and*  
11 *of which \$3,449,000 shall be available through June 30,*  
12 *2003, for Mississippi Delta Region counties (as defined by*  
13 *Public Law 100-460): Provided, That such costs, including*  
14 *the cost of modifying such loans, shall be as defined in sec-*  
15 *tion 502 of the Congressional Budget Act of 1974: Provided*  
16 *further, That of the total amount appropriated, \$2,730,000*  
17 *shall be available through June 30, 2003, for the cost of*  
18 *direct loans for authorized empowerment zones and enter-*  
19 *prise communities and communities designated by the Sec-*  
20 *retary of Agriculture as Rural Economic Area Partnership*  
21 *Zones.*

22       *In addition, for administrative expenses to carry out*  
23 *the direct loan programs, \$4,290,000 shall be transferred*  
24 *to and merged with the appropriation for “Rural Develop-*  
25 *ment, Salaries and Expenses”.*

1 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*2 *ACCOUNT*3 *(INCLUDING RESCISSION OF FUNDS)*

4 *For the principal amount of direct loans, as authorized*  
5 *under section 313 of the Rural Electrification Act, for the*  
6 *purpose of promoting rural economic development and job*  
7 *creation projects, \$14,967,000.*

8 *For the cost of direct loans, including the cost of modi-*  
9 *fying loans as defined in section 502 of the Congressional*  
10 *Budget Act of 1974, \$3,197,000.*

11 *Of the funds derived from interest on the cushion of*  
12 *credit payments in fiscal year 2003, as authorized by sec-*  
13 *tion 313 of the Rural Electrification Act of 1936,*  
14 *\$3,197,000 shall not be obligated and \$3,197,000 are re-*  
15 *scinded.*

16 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

17 *For rural cooperative development grants authorized*  
18 *under section 310B(e) of the Consolidated Farm and Rural*  
19 *Development Act (7 U.S.C. 1932), \$9,000,000, of which*  
20 *\$2,500,000 shall be for cooperative agreements for the ap-*  
21 *propriate technology transfer for rural areas program: Pro-*  
22 *vided, That not to exceed \$1,500,000 of the total amount*  
23 *appropriated shall be made available to cooperatives or as-*  
24 *sociations of cooperatives whose primary focus is to provide*  
25 *assistance to small, minority producers and whose gov-*

1 *erning board and/or membership is comprised of at least*  
 2 *75 percent minority.*

3 *RURAL EMPOWERMENT ZONES AND ENTERPRISE*

4 *COMMUNITIES GRANTS*

5 *For grants in connection with a second round of em-*  
 6 *powerment zones and enterprise communities, \$14,967,000,*  
 7 *to remain available until expended, for designated rural*  
 8 *empowerment zones and rural enterprise communities, as*  
 9 *authorized by the Taxpayer Relief Act of 1997 and the Om-*  
 10 *nibus Consolidated and Emergency Supplemental Appro-*  
 11 *priations Act, 1999 (Public Law 105–277).*

12 *RURAL UTILITIES SERVICE*

13 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

14 *LOANS PROGRAM ACCOUNT*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *Insured loans pursuant to the authority of section 305*  
 17 *of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall*  
 18 *be made as follows: 5 percent rural electrification loans,*  
 19 *\$121,103,000; municipal rate rural electric loans,*  
 20 *\$100,000,000; loans made pursuant to section 306 of that*  
 21 *Act, rural electric, \$2,700,000,000; Treasury rate direct*  
 22 *electric loans, \$1,150,000,000; 5 percent rural telecommuni-*  
 23 *cations loans, \$75,029,000; cost of money rural tele-*  
 24 *communications loans, \$300,000,000; and loans made pur-*  
 25 *suant to section 306 of that Act, rural telecommunications*

1 loans, \$120,000,000; and for guaranteed underwriting loans  
2 pursuant to section 313A, \$1,000,000,000.

3       For the cost, as defined in section 502 of the Congres-  
4 sional Budget Act of 1974, including the cost of modifying  
5 loans, of direct and guaranteed loans authorized by the  
6 Rural Electrification Act of 1936 (7 U.S.C. 935 and 936),  
7 as follows: cost of rural electric loans, \$11,025,000, and the  
8 cost of telecommunication loans, \$1,433,000: Provided, That  
9 notwithstanding section 305(d)(2) of the Rural Electrifica-  
10 tion Act of 1936, borrower interest rates may exceed 7 per-  
11 cent per year.

12       In addition, for administrative expenses necessary to  
13 carry out the direct and guaranteed loan programs,  
14 \$38,035,000 which shall be transferred to and merged with  
15 the appropriation for “Rural Development, Salaries and  
16 Expenses”.

17           RURAL TELEPHONE BANK PROGRAM ACCOUNT

18                   (INCLUDING TRANSFER OF FUNDS)

19       The Rural Telephone Bank is hereby authorized to  
20 make such expenditures, within the limits of funds available  
21 to such corporation in accord with law, and to make such  
22 contracts and commitments without regard to fiscal year  
23 limitations as provided by section 104 of the Government  
24 Corporation Control Act, as may be necessary in carrying  
25 out its authorized programs. During fiscal year 2003 and  
26 within the resources and authority available, gross obliga-

1 tions for the principal amount of direct loans shall be  
2 \$174,615,000.

3 For the cost, as defined in section 502 of the Congres-  
4 sional Budget Act of 1974, including the cost of modifying  
5 loans, of direct loans authorized by the Rural Electrifica-  
6 tion Act of 1936 (7 U.S.C. 935), \$2,410,000.

7 In addition, for administrative expenses, including  
8 audits, necessary to carry out the loan programs,  
9 \$3,082,000, which shall be transferred to and merged with  
10 the appropriation for “Rural Development, Salaries and  
11 Expenses”.

12 DISTANCE LEARNING AND TELEMEDICINE PROGRAM

13 For the principal amount of direct distance learning  
14 and telemedicine loans, \$50,000,000; and for the principal  
15 amount of broadband telecommunication loans,  
16 \$79,535,000.

17 For the cost of direct loans and grants, as authorized  
18 by 7 U.S.C. 950aaa et seq., \$51,941,000, to remain avail-  
19 able until expended, to be available for loans and grants  
20 for telemedicine and distance learning services in rural  
21 areas: Provided, That \$10,000,000 may be available for the  
22 continuation of a project for a loan and grant program to  
23 finance broadband transmission and local dial-up Internet  
24 service in areas that meet the definition of “rural area”  
25 used for the Distance Learning and Telemedicine Program  
26 authorized by 7 U.S.C. 950aaa: Provided further, That the

1 *cost of direct loans shall be as defined in section 502 of*  
 2 *the Congressional Budget Act of 1974.*

3 *TITLE IV*

4 *DOMESTIC FOOD PROGRAMS*

5 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

6 *NUTRITION AND CONSUMER SERVICES*

7 *For necessary salaries and expenses of the Office of the*  
 8 *Under Secretary for Food, Nutrition and Consumer Serv-*  
 9 *ices to administer the laws enacted by the Congress for the*  
 10 *Food and Nutrition Service, \$774,000.*

11 *FOOD AND NUTRITION SERVICE*

12 *CHILD NUTRITION PROGRAMS*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For necessary expenses to carry out the National*  
 15 *School Lunch Act (42 U.S.C. 1751 et seq.), except section*  
 16 *21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771*  
 17 *et seq.), except sections 17 and 21; \$10,580,169,000, to re-*  
 18 *main available through September 30, 2004, of which*  
 19 *\$5,834,506,000 is hereby appropriated and \$4,745,663,000*  
 20 *shall be derived by transfer from funds available under sec-*  
 21 *tion 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Pro-*  
 22 *vided, That of the funds made available under this heading,*  
 23 *\$3,300,000 shall be for a School Breakfast Program startup*  
 24 *grant pilot program, of which no less than \$1,000,000 is*  
 25 *for the State of Wisconsin: Provided further, That \$200,000*  
 26 *shall be for the Common Roots Program: Provided further,*



1 *That \$500,000 shall be for the Child Nutrition Archive Re-*  
2 *source Center: Provided further, That up to \$5,080,000 shall*  
3 *be for independent verification of school food service claims.*

4 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*  
5 *WOMEN, INFANTS, AND CHILDREN (WIC)*

6 *For necessary expenses to carry out the special supple-*  
7 *mental nutrition program as authorized by section 17 of*  
8 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*  
9 *\$4,751,000,000, to remain available through September 30,*  
10 *2004, of which \$125,000,000 shall be placed in reserve, to*  
11 *remain available until expended, for use in only such*  
12 *amounts, and in such manner, as the Secretary determines*  
13 *necessary, notwithstanding section 17(i) of the Child Nu-*  
14 *trition Act, to provide funds to support participation,*  
15 *should costs or participation exceed budget estimates: Pro-*  
16 *vided, That of the total amount available, the Secretary*  
17 *shall obligate \$25,000,000 for the farmers' market nutrition*  
18 *program within 45 days of the enactment of this Act: Pro-*  
19 *vided further, That notwithstanding section 17(h)(10)(A) of*  
20 *such Act, \$14,000,000 shall be available for the purposes*  
21 *specified in section 17(h)(10)(B): Provided further, That*  
22 *\$2,000,000 shall be available for the Food and Nutrition*  
23 *Service to conduct a study of WIC vendor practices: Pro-*  
24 *vided further, That no other funds made available under*  
25 *this heading shall be used for studies and evaluations: Pro-*  
26 *vided further, That none of the funds in this Act shall be*

1 available to pay administrative expenses of WIC clinics ex-  
2 cept those that have an announced policy of prohibiting  
3 smoking within the space used to carry out the program:  
4 Provided further, That none of the funds provided in this  
5 account shall be available for the purchase of infant formula  
6 except in accordance with the cost containment and com-  
7 petitive bidding requirements specified in section 17 of such  
8 Act: Provided further, That none of the funds provided shall  
9 be available for activities that are not fully reimbursed by  
10 other Federal Government departments or agencies unless  
11 authorized by section 17 of such Act.

12 *FOOD STAMP PROGRAM*

13 *For necessary expenses to carry out the Food Stamp*  
14 *Act (7 U.S.C. 2011 et seq.), \$26,289,692,000, of which*  
15 *\$2,000,000,000 shall be placed in reserve for use only in*  
16 *such amounts and at such times as may become necessary*  
17 *to carry out program operations: Provided, That of the*  
18 *funds made available under this heading and not already*  
19 *appropriated to the Food Distribution Program on Indian*  
20 *Reservations (FDPIR) established under section 4(b) of the*  
21 *Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed*  
22 *\$4,000,000 shall be used to purchase bison meat for the*  
23 *FDPIR from Native American bison producers as well as*  
24 *from producer-owned cooperatives of bison ranchers: Pro-*  
25 *vided further, That funds provided herein shall be expended*  
26 *in accordance with section 16 of the Food Stamp Act: Pro-*

1 *vided further, That this appropriation shall be subject to*  
2 *any work registration or workfare requirements as may be*  
3 *required by law: Provided further, That funds made avail-*  
4 *able for Employment and Training under this heading*  
5 *shall remain available until expended, as authorized by sec-*  
6 *tion 16(h)(1) of the Food Stamp Act.*

7 *COMMODITY ASSISTANCE PROGRAM*

8 *For necessary expenses to carry out the commodity*  
9 *supplemental food program as authorized by section 4(a)*  
10 *of the Agriculture and Consumer Protection Act of 1973 (7*  
11 *U.S.C. 612c note) and the Emergency Food Assistance Act*  
12 *of 1983, \$167,000,000, to remain available through Sep-*  
13 *tember 30, 2004: Provided, That none of these funds shall*  
14 *be available to reimburse the Commodity Credit Corpora-*  
15 *tion for commodities donated to the program: Provided fur-*  
16 *ther, That of the total amount available, the Secretary shall*  
17 *provide \$5,000,000 for senior farmers' market activities:*  
18 *Provided further, That at the discretion of the States, any*  
19 *State may request that USDA use a portion of its storage*  
20 *and distribution funds for the Emergency Food Assistance*  
21 *Program to purchase additional commodities for distribu-*  
22 *tion within that State.*

23 *FOOD DONATIONS PROGRAMS*

24 *For necessary expenses to carry out section 4(a) of the*  
25 *Agriculture and Consumer Protection Act of 1973 and spe-*  
26 *cial assistance for the nuclear affected islands as authorized*

1 *by section 103(h)(2) of the Compacts of Free Association*  
 2 *Act of 1985, \$1,081,000, to remain available through Sep-*  
 3 *tember 30, 2004.*

4 *FOOD PROGRAM ADMINISTRATION*

5 *For necessary administrative expenses of the domestic*  
 6 *food programs funded under this Act, \$136,865,000, of*  
 7 *which \$5,000,000 shall be available only for simplifying*  
 8 *procedures, reducing overhead costs, tightening regulations,*  
 9 *improving food stamp benefit delivery, and assisting in the*  
 10 *prevention, identification, and prosecution of fraud and*  
 11 *other violations of law and of which not less than*  
 12 *\$11,000,000 shall be available to improve integrity in the*  
 13 *Food Stamp and Child Nutrition programs: Provided, That*  
 14 *this appropriation shall be available for employment pursu-*  
 15 *ant to the second sentence of section 706(a) of the Organic*  
 16 *Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000*  
 17 *shall be available for employment under 5 U.S.C. 3109.*

18 *TITLE V*

19 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

20 *FOREIGN AGRICULTURAL SERVICE*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For necessary expenses of the Foreign Agricultural*  
 24 *Service, including carrying out title VI of the Agricultural*  
 25 *Act of 1954 (7 U.S.C. 1761–1769), market development ac-*  
 26 *tivities abroad, and for enabling the Secretary to coordinate*

1 *and integrate activities of the Department in connection*  
2 *with foreign agricultural work, including not to exceed*  
3 *\$158,000 for representation allowances and for expenses*  
4 *pursuant to section 8 of the Act approved August 3, 1956*  
5 *(7 U.S.C. 1766), \$131,198,000: Provided, That the Service*  
6 *may utilize advances of funds, or reimburse this appropri-*  
7 *ation for expenditures made on behalf of Federal agencies,*  
8 *public and private organizations and institutions under*  
9 *agreements executed pursuant to the agricultural food pro-*  
10 *duction assistance programs (7 U.S.C. 1737) and the for-*  
11 *ign assistance programs of the United States Agency for*  
12 *International Development.*

13 *None of the funds in the foregoing paragraph shall be*  
14 *available to promote the sale or export of tobacco or tobacco*  
15 *products.*

16 *PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT*

17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *For the cost, as defined in section 502 of the Congres-*  
19 *sional Budget Act of 1974, of agreements under the Agricul-*  
20 *tural Trade Development and Assistance Act of 1954, and*  
21 *the Food for Progress Act of 1985, including the cost of*  
22 *modifying credit arrangements under said Acts,*  
23 *\$116,171,000, to remain available until expended.*

24 *In addition, for administrative expenses to carry out*  
25 *the credit program of title I, Public Law 83-480, and the*  
26 *Food for Progress Act of 1985, to the extent funds appro-*

1 *riated for Public Law 83-480 are utilized, \$2,059,000, of*  
 2 *which \$1,033,000 may be transferred to and merged with*  
 3 *the appropriation for “Foreign Agricultural Service, Sala-*  
 4 *ries and Expenses”, and of which \$1,026,000 may be trans-*  
 5 *ferred to and merged with the appropriation for “Farm*  
 6 *Service Agency, Salaries and Expenses”.*

7 *PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL*

8 *GRANTS*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For ocean freight differential costs for the shipment of*  
 11 *agricultural commodities under title I of the Agricultural*  
 12 *Trade Development and Assistance Act of 1954 and under*  
 13 *the Food for Progress Act of 1985, \$25,159,000, to remain*  
 14 *available until expended: Provided, That funds made avail-*  
 15 *able for the cost of agreements under title I of the Agricul-*  
 16 *tural Trade Development and Assistance Act of 1954 and*  
 17 *for title I ocean freight differential may be used inter-*  
 18 *changeably between the two accounts with prior notice to*  
 19 *the Committees on Appropriations of both Houses of Con-*  
 20 *gress.*

21 *PUBLIC LAW 480 TITLE II GRANTS*

22 *For expenses during the current fiscal year, not other-*  
 23 *wise recoverable, and unrecovered prior years’ costs, includ-*  
 24 *ing interest thereon, under the Agricultural Trade Develop-*  
 25 *ment and Assistance Act of 1954, \$1,185,000,000, to remain*

1 *available until expended for commodities supplied in con-*  
 2 *nection with dispositions abroad under title II of said Act.*

3 *COMMODITY CREDIT CORPORATION EXPORT LOANS*

4 *PROGRAM ACCOUNT*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For administrative expenses to carry out the Com-*  
 7 *modity Credit Corporation's export guarantee program,*  
 8 *GSM 102 and GSM 103, \$4,058,000; to cover common over-*  
 9 *head expenses as permitted by section 11 of the Commodity*  
 10 *Credit Corporation Charter Act and in conformity with the*  
 11 *Federal Credit Reform Act of 1990, of which \$3,224,000*  
 12 *may be transferred to and merged with the appropriation*  
 13 *for "Foreign Agricultural Service, Salaries and Expenses",*  
 14 *and of which \$834,000 may be transferred to and merged*  
 15 *with the appropriation for "Farm Service Agency, Salaries*  
 16 *and Expenses".*

17 *TITLE VI*

18 *RELATED AGENCIES AND FOOD AND DRUG*

19 *ADMINISTRATION*

20 *DEPARTMENT OF HEALTH AND HUMAN*

21 *SERVICES*

22 *FOOD AND DRUG ADMINISTRATION*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Food and Drug Adminis-*  
 25 *tration, including hire and purchase of passenger motor ve-*  
 26 *hicles; for payment of space rental and related costs pursu-*

1 *ant to Public Law 92–313 for programs and activities of*  
2 *the Food and Drug Administration which are included in*  
3 *this Act; for rental of special purpose space in the District*  
4 *of Columbia or elsewhere; and for miscellaneous and emer-*  
5 *gency expenses of enforcement activities, authorized and ap-*  
6 *proved by the Secretary and to be accounted for solely on*  
7 *the Secretary’s certificate, not to exceed \$25,000;*  
8 *\$1,631,530,000, of which not to exceed \$222,900,000 to be*  
9 *derived from prescription drug user fees authorized by 21*  
10 *U.S.C. 379h, including any such fees assessed prior to the*  
11 *current fiscal year but credited during the current year, in*  
12 *accordance with section 736(g)(4), shall be credited to this*  
13 *appropriation and remain available until expended; and*  
14 *of which not to exceed \$25,125,000 to be derived from device*  
15 *user fees authorized by 21 U.S.C. 379j shall be credited to*  
16 *this appropriation, to remain available until expended:*  
17 *Provided, That fees derived from applications received dur-*  
18 *ing fiscal year 2003 shall be subject to the fiscal year 2003*  
19 *limitation: Provided further, That none of these funds shall*  
20 *be used to develop, establish, or operate any program of user*  
21 *fees authorized by 31 U.S.C. 9701: Provided further, That*  
22 *of the total amount appropriated: (1) \$412,404,000 shall*  
23 *be for the Center for Food Safety and Applied Nutrition*  
24 *and related field activities in the Office of Regulatory Af-*  
25 *fairs; (2) \$426,232,000 shall be for the Center for Drug*



1 *Evaluation and Research and related field activities in the*  
2 *Office of Regulatory Affairs, of which no less than*  
3 *\$13,357,000 shall be available for grants and contracts*  
4 *awarded under section 5 of the Orphan Drug Act (21 U.S.C.*  
5 *360ee); (3) \$199,117,000 shall be for the Center for Biologics*  
6 *Evaluation and Research and for related field activities in*  
7 *the Office of Regulatory Affairs; (4) \$88,342,000 shall be*  
8 *for the Center for Veterinary Medicine and for related field*  
9 *activities in the Office of Regulatory Affairs; (5)*  
10 *\$211,819,000 shall be for the Center for Devices and Radio-*  
11 *logical Health and for related field activities in the Office*  
12 *of Regulatory Affairs; (6) \$40,509,000 shall be for the Na-*  
13 *tional Center for Toxicological Research; (7) \$36,914,000*  
14 *shall be for Rent and Related activities, other than the*  
15 *amounts paid to the General Services Administration; (8)*  
16 *\$108,269,000 shall be for payments to the General Services*  
17 *Administration for rent and related costs; and (9)*  
18 *\$107,924,000 shall be for other activities, including the Of-*  
19 *fice of the Commissioner; the Office of Management and*  
20 *Systems; the Office of the Senior Associate Commissioner;*  
21 *the Office of International and Constituent Relations; the*  
22 *Office of Policy, Legislation, and Planning; and central*  
23 *services for these offices: Provided further, That funds may*  
24 *be transferred from one specified activity to another with*

1 *the prior approval of the Committees on Appropriations of*  
2 *both Houses of Congress.*

3 *In addition, mammography user fees authorized by 42*  
4 *U.S.C. 263b may be credited to this account, to remain*  
5 *available until expended.*

6 *In addition, export certification user fees authorized*  
7 *by 21 U.S.C. 381 may be credited to this account, to remain*  
8 *available until expended.*

9 *BUILDINGS AND FACILITIES*

10 *For plans, construction, repair, improvement, exten-*  
11 *sion, alteration, and purchase of fixed equipment or facili-*  
12 *ties of or used by the Food and Drug Administration, where*  
13 *not otherwise provided, \$11,000,000, to remain available*  
14 *until expended.*

15 *INDEPENDENT AGENCIES*

16 *COMMODITY FUTURES TRADING COMMISSION*

17 *For necessary expenses to carry out the provisions of*  
18 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*  
19 *the purchase and hire of passenger motor vehicles; the rental*  
20 *of space (to include multiple year leases) in the District*  
21 *of Columbia and elsewhere; and not to exceed \$25,000 for*  
22 *employment under 5 U.S.C. 3109, \$93,985,000, including*  
23 *not to exceed \$2,000 for official reception and representa-*  
24 *tion expenses.*

1                    *FARM CREDIT ADMINISTRATION*  
2                    *LIMITATION ON ADMINISTRATIVE EXPENSES*

3            *Not to exceed \$38,404,000 (from assessments collected*  
4 *from farm credit institutions and from the Federal Agricul-*  
5 *tural Mortgage Corporation) shall be obligated during the*  
6 *current fiscal year for administrative expenses as author-*  
7 *ized under 12 U.S.C. 2249: Provided, That this limitation*  
8 *shall not apply to expenses associated with receiverships.*

9                    *TITLE VII—GENERAL PROVISIONS*

10            *SEC. 701. Within the unit limit of cost fixed by law,*  
11 *appropriations and authorizations made for the Depart-*  
12 *ment of Agriculture for fiscal year 2003 under this Act shall*  
13 *be available for the purchase, in addition to those specifi-*  
14 *cally provided for, of not to exceed 374 passenger motor ve-*  
15 *hicles, of which 372 shall be for replacement only, and for*  
16 *the hire of such vehicles.*

17            *SEC. 702. Funds in this Act available to the Depart-*  
18 *ment of Agriculture shall be available for uniforms or allow-*  
19 *ances therefor as authorized by law (5 U.S.C. 5901–5902).*

20            *SEC. 703. Not less than \$1,500,000 of the appropria-*  
21 *tions of the Department of Agriculture in this Act for re-*  
22 *search and service work authorized by sections 1 and 10*  
23 *of the Act of June 29, 1935 (7 U.S.C. 427, 427i; commonly*  
24 *known as the Bankhead-Jones Act), subtitle A of title II*  
25 *and section 302 of the Act of August 14, 1946 (7 U.S.C.*

1 1621 et seq.), and chapter 63 of title 31, United States Code,  
2 shall be available for contracting in accordance with such  
3 Acts and chapter.

4       *SEC. 704. The Secretary of Agriculture may transfer*  
5 *unobligated balances of funds appropriated by this Act or*  
6 *other available unobligated balances of the Department of*  
7 *Agriculture to the Working Capital Fund for the acquisi-*  
8 *tion of plant and capital equipment necessary for the deliv-*  
9 *ery of financial, administrative, and information tech-*  
10 *nology services of primary benefit to the agencies of the De-*  
11 *partment of Agriculture: Provided, That none of the funds*  
12 *made available by this Act or any other Act shall be trans-*  
13 *ferred to the Working Capital Fund without the prior ap-*  
14 *proval of the agency administrator: Provided further, That*  
15 *none of the funds transferred to the Working Capital Fund*  
16 *pursuant to this section shall be available for obligation*  
17 *without the prior approval of the Committees on Appro-*  
18 *priations of both Houses of Congress.*

19       *SEC. 705. New obligational authority provided for the*  
20 *following appropriation items in this Act shall remain*  
21 *available until expended: Animal and Plant Health Inspec-*  
22 *tion Service, the contingency fund to meet emergency condi-*  
23 *tions, fruit fly program, emerging plant pests, integrated*  
24 *systems acquisition project, boll weevil program, up to 25*  
25 *percent of the screwworm program, and up to \$2,000,000*

1 *for costs associated with collocating regional offices; Food*  
2 *Safety and Inspection Service, field automation and infor-*  
3 *mation management project; Cooperative State Research,*  
4 *Education, and Extension Service, funds for competitive re-*  
5 *search grants (7 U.S.C. 450i(b)), funds for the Research,*  
6 *Education and Economics Information System (REEIS),*  
7 *and funds for the Native American Institutions Endowment*  
8 *Fund; Farm Service Agency, salaries and expenses funds*  
9 *made available to county committees; Foreign Agricultural*  
10 *Service, middle-income country training program and up*  
11 *to \$2,000,000 of the Foreign Agricultural Service appro-*  
12 *priation solely for the purpose of offsetting fluctuations in*  
13 *international currency exchange rates, subject to docu-*  
14 *mentation by the Foreign Agricultural Service.*

15       *SEC. 706. No part of any appropriation contained in*  
16 *this Act shall remain available for obligation beyond the*  
17 *current fiscal year unless expressly so provided herein.*

18       *SEC. 707. Not to exceed \$50,000 of the appropriations*  
19 *available to the Department of Agriculture in this Act shall*  
20 *be available to provide appropriate orientation and lan-*  
21 *guage training pursuant to section 606C of the Act of Au-*  
22 *gust 28, 1954 (7 U.S.C. 1766b).*

23       *SEC. 708. No funds appropriated by this Act may be*  
24 *used to pay negotiated indirect cost rates on cooperative*  
25 *agreements or similar arrangements between the United*

1 *States Department of Agriculture and nonprofit institu-*  
2 *tions in excess of 10 percent of the total direct cost of the*  
3 *agreement when the purpose of such cooperative arrange-*  
4 *ments is to carry out programs of mutual interest between*  
5 *the two parties. This does not preclude appropriate pay-*  
6 *ment of indirect costs on grants and contracts with such*  
7 *institutions when such indirect costs are computed on a*  
8 *similar basis for all agencies for which appropriations are*  
9 *provided in this Act.*

10 *SEC. 709. None of the funds in this Act shall be avail-*  
11 *able to restrict the authority of the Commodity Credit Cor-*  
12 *poration to lease space for its own use or to lease space*  
13 *on behalf of other agencies of the Department of Agriculture*  
14 *when such space will be jointly occupied.*

15 *SEC. 710. None of the funds in this Act shall be avail-*  
16 *able to pay indirect costs charged against competitive agri-*  
17 *cultural research, education, or extension grant awards*  
18 *issued by the Cooperative State Research, Education, and*  
19 *Extension Service that exceed 19 percent of total Federal*  
20 *funds provided under each award: Provided, That notwith-*  
21 *standing section 1462 of the National Agricultural Re-*  
22 *search, Extension, and Teaching Policy Act of 1977 (7*  
23 *U.S.C. 3310), funds provided by this Act for grants award-*  
24 *ed competitively by the Cooperative State Research, Edu-*  
25 *cation, and Extension Service shall be available to pay full*

1 *allowable indirect costs for each grant awarded under sec-*  
2 *tion 9 of the Small Business Act (15 U.S.C. 638).*

3 *SEC. 711. Notwithstanding any other provision of this*  
4 *Act, all loan levels provided in this Act shall be considered*  
5 *estimates, not limitations.*

6 *SEC. 712. Appropriations to the Department of Agri-*  
7 *culture for the cost of direct and guaranteed loans made*  
8 *available in fiscal year 2003 shall remain available until*  
9 *expended to cover obligations made in fiscal year 2003 for*  
10 *the following accounts: the Rural Development Loan Fund*  
11 *program account, the Rural Telephone Bank program ac-*  
12 *count, the Rural Electrification and Telecommunications*  
13 *Loans program account, the Rural Housing Insurance*  
14 *Fund program, and the Rural Economic Development*  
15 *Loans program account.*

16 *SEC. 713. Notwithstanding chapter 63 of title 31,*  
17 *United States Code, marketing services of the Agricultural*  
18 *Marketing Service; the Grain Inspection, Packers and*  
19 *Stockyards Administration; the Animal and Plant Health*  
20 *Inspection Service; and the food safety activities of the Food*  
21 *Safety and Inspection Service may use cooperative agree-*  
22 *ments to reflect a relationship between the Agricultural*  
23 *Marketing Service; the Grain Inspection, Packers and*  
24 *Stockyards Administration; the Animal and Plant Health*  
25 *Inspection Service; or the Food Safety and Inspection Serv-*

1 *ice and a state or cooperator to carry out agricultural mar-*  
2 *keting programs, to carry out programs to protect the na-*  
3 *tion's animal and plant resources, or to carry out edu-*  
4 *cational programs or special studies to improve the safety*  
5 *of the nation's food supply.*

6       *SEC. 714. None of the funds in this Act may be used*  
7 *to retire more than 5 percent of the Class A stock of the*  
8 *Rural Telephone Bank or to maintain any account or sub-*  
9 *account within the accounting records of the Rural Tele-*  
10 *phone Bank the creation of which has not specifically been*  
11 *authorized by statute: Provided, That notwithstanding any*  
12 *other provision of law, none of the funds appropriated or*  
13 *otherwise made available in this Act may be used to trans-*  
14 *fer to the Treasury or to the Federal Financing Bank any*  
15 *unobligated balance of the Rural Telephone Bank telephone*  
16 *liquidating account which is in excess of current require-*  
17 *ments and such balance shall receive interest as set forth*  
18 *for financial accounts in section 505(c) of the Federal Cred-*  
19 *it Reform Act of 1990.*

20       *SEC. 715. Of the funds made available by this Act, not*  
21 *more than \$1,800,000 shall be used to cover necessary ex-*  
22 *penses of activities related to all advisory committees, pan-*  
23 *els, commissions, and task forces of the Department of Agri-*  
24 *culture, except for panels used to comply with negotiated*



1 *rule makings and panels used to evaluate competitively*  
2 *awarded grants.*

3 *SEC. 716. None of the funds appropriated by this Act*  
4 *may be used to carry out section 410 of the Federal Meat*  
5 *Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry*  
6 *Products Inspection Act (21 U.S.C. 471).*

7 *SEC. 717. No employee of the Department of Agri-*  
8 *culture may be detailed or assigned from an agency or office*  
9 *funded by this Act to any other agency or office of the De-*  
10 *partment for more than 30 days unless the individual's em-*  
11 *ploying agency or office is fully reimbursed by the receiving*  
12 *agency or office for the salary and expenses of the employee*  
13 *for the period of assignment.*

14 *SEC. 718. None of the funds appropriated or otherwise*  
15 *made available to the Department of Agriculture shall be*  
16 *used to transmit or otherwise make available to any non-*  
17 *Department of Agriculture employee questions or responses*  
18 *to questions that are a result of information requested for*  
19 *the appropriations hearing process.*

20 *SEC. 719. None of the funds made available to the De-*  
21 *partment of Agriculture by this Act may be used to acquire*  
22 *new information technology systems or significant up-*  
23 *grades, as determined by the Office of the Chief Information*  
24 *Officer, without the approval of the Chief Information Offi-*  
25 *cer and the concurrence of the Executive Information Tech-*

1 *nology Investment Review Board: Provided, That notwith-*  
2 *standing any other provision of law, none of the funds ap-*  
3 *propriated or otherwise made available by this Act may be*  
4 *transferred to the Office of the Chief Information Officer*  
5 *without the prior approval of the Committees on Appro-*  
6 *priations of both Houses of Congress.*

7       *SEC. 720. (a) None of the funds provided by this Act,*  
8 *or provided by previous Appropriations Acts to the agencies*  
9 *funded by this Act that remain available for obligation or*  
10 *expenditure in fiscal year 2003, or provided from any ac-*  
11 *counts in the Treasury of the United States derived by the*  
12 *collection of fees available to the agencies funded by this*  
13 *Act, shall be available for obligation or expenditure through*  
14 *a reprogramming of funds which: (1) creates new programs;*  
15 *(2) eliminates a program, project, or activity; (3) increases*  
16 *funds or personnel by any means for any project or activity*  
17 *for which funds have been denied or restricted; (4) relocates*  
18 *an office or employees; (5) reorganizes offices, programs, or*  
19 *activities; or (6) contracts out or privatizes any functions*  
20 *or activities presently performed by Federal employees; un-*  
21 *less the Committees on Appropriations of both Houses of*  
22 *Congress are notified 15 days in advance of such re-*  
23 *programming of funds.*

24       *(b) None of the funds provided by this Act, or provided*  
25 *by previous Appropriations Acts to the agencies funded by*

1 *this Act that remain available for obligation or expenditure*  
2 *in fiscal year 2003, or provided from any accounts in the*  
3 *Treasury of the United States derived by the collection of*  
4 *fees available to the agencies funded by this Act, shall be*  
5 *available for obligation or expenditure for activities, pro-*  
6 *grams, or projects through a reprogramming of funds in*  
7 *excess of \$500,000 or 10 percent, whichever is less, that: (1)*  
8 *augments existing programs, projects, or activities; (2) re-*  
9 *duces by 10 percent funding for any existing program,*  
10 *project, or activity, or numbers of personnel by 10 percent*  
11 *as approved by Congress; or (3) results from any general*  
12 *savings from a reduction in personnel which would result*  
13 *in a change in existing programs, activities, or projects as*  
14 *approved by Congress; unless the Committees on Appropria-*  
15 *tions of both Houses of Congress are notified 15 days in*  
16 *advance of such reprogramming of funds.*

17 *(c) The Secretary of Agriculture shall notify the Com-*  
18 *mittees on Appropriations of both Houses of Congress before*  
19 *implementing a program or activity not carried out during*  
20 *the previous fiscal year unless the program or activity is*  
21 *funded by this Act or specifically funded by any other Act.*

22 *SEC. 721. With the exception of funds needed to ad-*  
23 *minister and conduct oversight of grants awarded and obli-*  
24 *gations incurred in prior fiscal years, none of the funds*  
25 *appropriated or otherwise made available by this or any*

1 *other Act may be used to pay the salaries and expenses of*  
2 *personnel to carry out the provisions of section 401 of Pub-*  
3 *lic Law 105–185, the Initiative for Future Agriculture and*  
4 *Food Systems (7 U.S.C. 7621).*

5       *SEC. 722. None of the funds made available to the Food*  
6 *and Drug Administration by this Act shall be used to re-*  
7 *duce the Detroit, Michigan, Food and Drug Administration*  
8 *District Office below the operating and full-time equivalent*  
9 *staffing level of July 31, 1999; or to change the Detroit Dis-*  
10 *trict Office to a station, residence post or similarly modified*  
11 *office; or to reassign residence posts assigned to the Detroit*  
12 *District Office: Provided, That this section shall not apply*  
13 *to Food and Drug Administration field laboratory facilities*  
14 *or operations currently located in Detroit, Michigan, except*  
15 *that field laboratory personnel shall be assigned to locations*  
16 *in the general vicinity of Detroit, Michigan, pursuant to*  
17 *cooperative agreements between the Food and Drug Admin-*  
18 *istration and other laboratory facilities associated with the*  
19 *State of Michigan.*

20       *SEC. 723. None of the funds appropriated by this Act*  
21 *or any other Act shall be used to pay the salaries and ex-*  
22 *penses of personnel who prepare or submit appropriations*  
23 *language as part of the President’s Budget submission to*  
24 *the Congress of the United States for programs under the*  
25 *jurisdiction of the Appropriations Subcommittees on Agri-*

1 *culture, Rural Development, Food and Drug Administra-*  
2 *tion, and Related Agencies that assumes revenues or reflects*  
3 *a reduction from the previous year due to user fees pro-*  
4 *posals that have not been enacted into law prior to the sub-*  
5 *mission of the Budget unless such Budget submission identi-*  
6 *fies which additional spending reductions should occur in*  
7 *the event the user fees proposals are not enacted prior to*  
8 *the date of the convening of a committee of conference for*  
9 *the fiscal year 2004 appropriations Act.*

10 *SEC. 724. None of the funds made available by this*  
11 *Act or any other Act may be used to close or relocate a*  
12 *state Rural Development office unless or until cost effective-*  
13 *ness and enhancement of program delivery have been deter-*  
14 *mined.*

15 *SEC. 725. Of any shipments of commodities made pur-*  
16 *suant to section 416(b) of the Agricultural Act of 1949 (7*  
17 *U.S.C. 1431(b)), the Secretary of Agriculture shall, to the*  
18 *extent practicable, direct that tonnage equal in value to not*  
19 *more than \$25,000,000 shall be made available to foreign*  
20 *countries to assist in mitigating the effects of the Human*  
21 *Immunodeficiency Virus and Acquired Immune Deficiency*  
22 *Syndrome on communities, including the provision of—*

23 *(1) agricultural commodities to—*

1           (A) *individuals with Human Immuno-*  
2           *deficiency Virus or Acquired Immune Deficiency*  
3           *Syndrome in the communities; and*

4           (B) *households in the communities, particu-*  
5           *larly individuals caring for orphaned children;*  
6           *and*

7           (2) *agricultural commodities monetized to pro-*  
8           *vide other assistance (including assistance under*  
9           *microcredit and microenterprise programs) to create*  
10          *or restore sustainable livelihoods among individuals*  
11          *in the communities, particularly individuals caring*  
12          *for orphaned children.*

13          *SEC. 726. In addition to amounts otherwise appro-*  
14          *priated or made available by this Act, \$2,496,000 is appro-*  
15          *priated for the purpose of providing Bill Emerson and*  
16          *Mickey Leland Hunger Fellowships, as authorized by sec-*  
17          *tion 4404 of Public Law 107-71 (2 U.S.C. 1161).*

18          *SEC. 727. Notwithstanding section 412 of the Agricul-*  
19          *tural Trade Development and Assistance Act of 1954 (7*  
20          *U.S.C. 1736f), any balances available to carry out title III*  
21          *of such Act as of the date of enactment of this Act, and*  
22          *any recoveries and reimbursements that become available*  
23          *to carry out title III of such Act, may be used to carry*  
24          *out title II of such Act.*

1        *SEC. 728. Of the funds made available under section*  
2 *27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et*  
3 *seq.), the Secretary may use up to \$5,000,000 for adminis-*  
4 *trative costs associated with the distribution of commod-*  
5 *ities.*

6        *SEC. 729. None of the funds made available to the Food*  
7 *and Drug Administration by this Act shall be used to close*  
8 *or relocate, or to plan to close or relocate, the Food and*  
9 *Drug Administration Division of Pharmaceutical Analysis*  
10 *in St. Louis, Missouri outside the city or county limits of*  
11 *St. Louis, Missouri.*

12        *SEC. 730. No funds appropriated or otherwise made*  
13 *available under this Act shall be made available to any per-*  
14 *son or entity that has been convicted of violating the Act*  
15 *of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as*  
16 *the “Buy American Act”).*

17        *SEC. 731. Section 17(a)(2)(B) of the Richard B. Rus-*  
18 *sell National School Lunch Act (42 U.S.C. 1766(a)(2)(B))*  
19 *is amended by striking “2002” and inserting “2003”.*

20        *SEC. 732. Notwithstanding any other provision of law,*  
21 *the City of Dunkirk, New York, shall be eligible for grants*  
22 *and loans provided through the Rural Community Ad-*  
23 *vancement Program.*

24        *SEC. 733. Notwithstanding any other provision of law,*  
25 *of funds appropriated under the Rural Housing Assistance*

1 *Grant account, \$4,000,000 shall be for demonstration hous-*  
2 *ing grants for agriculture processing workers in the State*  
3 *of Wisconsin.*

4 *SEC. 734. Notwithstanding any other provision of law,*  
5 *the Natural Resources Conservation Service shall provide*  
6 *financial and technical assistance for projects in the Em-*  
7 *barras River Basin, Lake County Watersheds, and DuPage*  
8 *County, Illinois, from funds made available for Watershed*  
9 *and Flood Prevention Operations by Public Law 107-76.*

10 *SEC. 735. Notwithstanding any other provision of law,*  
11 *of the funds made available in this Act for competitive re-*  
12 *search grants (7 U.S.C. 450i(b)), the Secretary may use up*  
13 *to 20 percent of the amount provided to carry out a com-*  
14 *petitive grants program under the same terms and condi-*  
15 *tions as those provided in section 401 of the Agricultural*  
16 *Research, Extension, and Education Reform Act of 1998*  
17 *(7 U.S.C. 7621).*

18 *SEC. 736. Notwithstanding any other provision of law,*  
19 *the Natural Resources Conservation Service shall provide*  
20 *financial and technical assistance through the Watershed*  
21 *and Flood Prevention Operations program to carry out the*  
22 *Upper Tygart Valley Watershed project, West Virginia:*  
23 *Provided, That the Natural Resources Conservation Service*  
24 *is authorized to provide 100 percent of the engineering as-*



1 *sistance and 75 percent cost share for installation of the*  
2 *water supply component of this project.*

3       *SEC. 737. Agencies and offices of the Department of*  
4 *Agriculture may utilize any unobligated salaries and ex-*  
5 *penses funds to reimburse the Office of the General Counsel*  
6 *for salaries and expenses of personnel, and for other related*  
7 *expenses, incurred in representing such agencies and offices*  
8 *in the resolution of complaints by employees or applicants*  
9 *for employment, and in cases and other matters pending*  
10 *before the Equal Employment Opportunity Commission,*  
11 *the Federal Labor Relations Authority, or the Merit Sys-*  
12 *tems Protection Board with the prior approval of the Com-*  
13 *mittees on Appropriations of both Houses of Congress.*

14       *SEC. 738. None of the funds appropriated or made*  
15 *available by this Act may be used to pay the salaries and*  
16 *expenses of personnel to carry out section 14(h)(1) of the*  
17 *Watershed Protection and Flood Prevention Act (16 U.S.C.*  
18 *1012(h)(1)).*

19       *SEC. 739. None of the funds appropriated or made*  
20 *available by this Act, or any other Act, may be used to pay*  
21 *the salaries and expenses of personnel to carry out subtitle*  
22 *I of the Consolidated Farm and Rural Development Act (7*  
23 *U.S.C. 2009dd through dd-7).*

24       *SEC. 740. None of the funds appropriated or made*  
25 *available by this Act may be used to pay the salaries and*

1 *expenses of personnel to carry out section 6405 of Public*  
 2 *Law 107–171 (7 U.S.C. 2655).*

3 *SEC. 741. None of the funds appropriated or made*  
 4 *available by this Act may be used to pay the salaries and*  
 5 *expenses of personnel to carry out section 9010 of Public*  
 6 *Law 107–171 that exceed 77 percent of the payment that*  
 7 *would otherwise be paid to eligible producers (7 U.S.C.*  
 8 *8108).*

9 *SEC. 742. Notwithstanding any other provision of law,*  
 10 *the Natural Resources Conservation Service may provide fi-*  
 11 *nancial and technical assistance through the Watershed and*  
 12 *Flood Prevention Operations program for the Kuhn Bayou*  
 13 *(Point Remove) project in Arkansas.*

14 *SEC. 743. Notwithstanding any other provision of law,*  
 15 *the Natural Resources Conservation Service may provide fi-*  
 16 *nancial and technical assistance through the Watershed and*  
 17 *Flood Prevention Operations program for the Matanuska*  
 18 *River erosion control project in Alaska.*

19 *SEC. 744. FOOD FOR PROGRESS. The Food for Progress*  
 20 *Act of 1985 (7 U.S.C. 1736o) is amended—*

21 *(1) in subsections (c) and (g), by striking “may”*  
 22 *each place it appears and inserting “shall”; and*

23 *(2) by adding at the end the following:*

24 *“(o) PRIVATE VOLUNTARY ORGANIZATIONS AND*  
 25 *OTHER PRIVATE ENTITIES.—In entering into agreements*

1 *described in subsection (c), the President (acting through*  
2 *the Secretary)—*

3 *“(1) shall enter into agreements with eligible en-*  
4 *tities described in subparagraphs (C) and (F) of sub-*  
5 *section (b)(5); and*

6 *“(2) shall not discriminate against such eligible*  
7 *entities.”.*

8 *SEC. 745. Of the unobligated balances of funds made*  
9 *available under the Cooperative State Research, Education,*  
10 *and Extension Service, Buildings and Facilities appropria-*  
11 *tion in Public Law 104–180, \$795,400 are hereby re-*  
12 *scinded.*

13 *SEC. 746. None of the funds made available in fiscal*  
14 *year 2003 or preceding fiscal years for programs authorized*  
15 *under the Agricultural Trade Development and Assistance*  
16 *Act of 1954 [7 U.S.C. 1691 et seq.] in excess of \$20,000,000*  
17 *shall be used to reimburse the Commodity Credit Corpora-*  
18 *tion for the release of eligible commodities under section*  
19 *302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act*  
20 *[7 U.S.C. 1736f–1]: Provided, That any such funds made*  
21 *available to reimburse the Commodity Credit Corporation*  
22 *shall only be used pursuant to section 302(b)(2)(B)(i) of*  
23 *the Bill Emerson Humanitarian Trust Act.*

24 *SEC. 747. Notwithstanding any other provision of law,*  
25 *the Natural Resources Conservation Service may provide fi-*

1 *nancial and technical assistance to the Dry Creek/Neff's*  
2 *Grove project, Utah, and the Jefferson River Watershed,*  
3 *Montana.*

4 *SEC. 748. Section 307 of Title III—Denali Commis-*  
5 *sion of Division C—Other Matters of Public Law 105–277,*  
6 *as amended, is further amended by adding a new subsection*  
7 *at the end thereof as follows:*

8 *“(d) SOLID WASTE.—The Secretary of Agriculture is*  
9 *authorized to make direct lump sum payments to the Denali*  
10 *Commission to address deficiencies in solid waste disposal*  
11 *sites which threaten to contaminate rural drinking water*  
12 *supplies.”.*

13 *SEC. 749. The \$5,000,000 of unobligated balances*  
14 *available at the beginning of fiscal year 2003 for the experi-*  
15 *mental Rural Clean Water Program authorized under the*  
16 *headings “Agricultural Stabilization and Conservation*  
17 *Service—Rural Clean Water Program” in Public Law 96–*  
18 *108 (93 Stat. 835) and Public Law 96–528 (95 Stat. 3111)*  
19 *are hereby rescinded.*

20 *SEC. 750. The Secretary of Agriculture is authorized*  
21 *to make loans and grants to expand the state of Alaska's*  
22 *dairy industry and related milk processing and packaging*  
23 *facilities. There is authorized to be appropriated \$5,000,000*  
24 *to carry out this section for each fiscal years 2003 through*  
25 *2007.*

1        *SEC. 751. Up to \$2,000,000 of the funds made avail-*  
2 *able to the Food and Nutrition Service for studies and eval-*  
3 *uations may be transferred to and merged with the appro-*  
4 *priation for the Economic Research Service, to conduct*  
5 *studies and evaluations on behalf of the Food and Nutrition*  
6 *Service.*

7        *SEC. 752. The Secretary, if presented with a complete*  
8 *and fully compliant application, including an approved*  
9 *third party to hold the development easement, to protect the*  
10 *33.8 acre farm formerly operated by American Airlines*  
11 *Captain John Ogonowski from development through the*  
12 *Farmland Protection Program, shall waive the matching*  
13 *fund requirements of the program, if necessary. Farmland*  
14 *Protection Program funds provided shall not exceed the ap-*  
15 *praised fair market value of the land, as determined con-*  
16 *sistent with program requirements. Any additional funding*  
17 *provided to carry out this project shall not come at the ex-*  
18 *pense of an allocation to any other State.*

19        *SEC. 753. The Secretary of Agriculture is authorized*  
20 *to permit employees of the United States Department of Ag-*  
21 *riculture to carry and use firearms for personal protection*  
22 *while conducting field work in remote locations in the per-*  
23 *formance of their official duties.*

24        *SEC. 754. Of the funds made available for the Export*  
25 *Enhancement Program, pursuant to section 301(e) of the*

1 *Agricultural Trade Act of 1978, as amended by Public Law*  
2 *104–127, not more than \$28,000,000 shall be available in*  
3 *fiscal year 2003.*

4       *SEC. 755. Notwithstanding subsections (c) and (e)(2)*  
5 *of section 313A of the Rural Electrification Act (7 U.S.C.*  
6 *940c(c) and (e)(2)) in implementing section 313A of that*  
7 *Act, the Secretary shall, with the consent of the lender,*  
8 *structure the schedule for payment of the annual fee, not*  
9 *to exceed an average of 30 basis points per year for the*  
10 *term of the loan, to ensure that sufficient funds are avail-*  
11 *able to pay the subsidy costs for note guarantees under that*  
12 *section.*

13       *SEC. 756. RESTORATION OF FISH, WILDLIFE, AND AS-*  
14 *SOCIATED HABITATS IN WATERSHEDS OF CERTAIN LAKES.*  
15 *(a) IN GENERAL.—In carrying out section 2507 of Public*  
16 *Law 107–171, the Secretary of the Interior, acting through*  
17 *the Commissioner of Reclamation, shall—*

18               *(1) subject to paragraph (3), provide water and*  
19               *assistance under that section only for the Pyramid,*  
20               *Summit, and Walker Lakes in the State of Nevada;*

21               *(2) use \$1,000,000 for the creation of a fish*  
22               *hatchery at Walker Lake to benefit the Walker River*  
23               *Paiute Tribe; and*

24               *(3) use \$2,000,000 to provide grants, to be di-*  
25               *vided equally, to the State of Nevada, the State of*

1        *California, the Truckee Meadows Water Authority,*  
2        *and the Pyramid Lake Paiute Tribe, to implement*  
3        *the Truckee River Settlement Act, Public Law 101–*  
4        *618.*

5        *(b) ADMINISTRATION.—The Secretary of the Interior,*  
6        *acting through the Commissioner of Reclamation, may pro-*  
7        *vide financial assistance to State and local public agencies,*  
8        *Indian tribes, nonprofit organizations, and individuals to*  
9        *carry out this section and section 2507 of Public Law 107–*  
10       *171.*

11       *SEC. 757. In addition to amounts appropriated by this*  
12       *Act under the heading “Public Law 480 Title II Grants”,*  
13       *there is appropriated, out of funds in the Treasury not oth-*  
14       *erwise appropriated, \$500,000,000 for assistance for emer-*  
15       *gency relief activities: Provided, That the amount appro-*  
16       *priated under this section shall remain available through*  
17       *September 30, 2004.*

18       *SEC. 758. MARKETING ASSISTANCE LOANS AND LOAN*  
19       *DEFICIENCY PAYMENTS FOR OTHER OILSEEDS, DRY PEAS,*  
20       *LENTILS, AND SMALL CHICKPEAS. (a) DEFINITION OF*  
21       *OTHER OILSEED.—Section 1001(9) of the Farm Security*  
22       *and Rural Investment Act of 2002 (7 U.S.C. 7901(9)) is*  
23       *amended by inserting “crambe, sesame seed,” after “mus-*  
24       *tard seed,”.*

1           **(b) LOAN RATES FOR NONRECOURSE MARKETING AS-**  
2 **SISTANCE LOANS.**—*Section 1202 of the Farm Security and*  
3 *Rural Investment Act of 2002 (7 U.S.C. 7932) is*  
4 *amended—*

5           *(1) in subsection (a), by striking paragraph (10)*  
6 *and inserting the following:*

7           *“(10) In the case of other oilseeds, \$.0960 per*  
8 *pound for each of the following kinds of oilseeds:*

9                   *“(A) Sunflower seed.*

10                   *“(B) Rapeseed.*

11                   *“(C) Canola.*

12                   *“(D) Safflower.*

13                   *“(E) Flaxseed.*

14                   *“(F) Mustard seed.*

15                   *“(G) Crambe.*

16                   *“(H) Sesame seed.*

17                   *“(I) Other oilseeds designated by the Sec-*  
18 *retary.”;*

19           *(2) in subsection (b), by striking paragraph (10)*  
20 *and inserting the following:*

21           *“(10) In the case of other oilseeds, \$.0930 per*  
22 *pound for each of the following kinds of oilseeds:*

23                   *“(A) Sunflower seed.*

24                   *“(B) Rapeseed.*

25                   *“(C) Canola.*



1           “(D) *Safflower.*

2           “(E) *Flaxseed.*

3           “(F) *Mustard seed.*

4           “(G) *Crambe.*

5           “(H) *Sesame seed.*

6           “(I) *Other oilseeds designated by the Sec-*  
7           *retary.”;*

8           (3) *by adding at the end the following:*

9           “(c) *SINGLE COUNTY LOAN RATE FOR OTHER OIL-*  
10       *SEEDS.—The Secretary shall establish a single loan rate in*  
11       *each county for each kind of other oilseeds described in sub-*  
12       *sections (a)(10) and (b)(10).*

13          “(d) *QUALITY GRADES FOR DRY PEAS, LENTILS, AND*  
14       *SMALL CHICKPEAS.—The loan rate for dry peas, lentils,*  
15       *and small chickpeas shall be based on—*

16               “(1) *in the case of dry peas, United States feed*  
17       *peas;*

18               “(2) *in the case of lentils, United States number*  
19       *3 lentils; and*

20               “(3) *in the case of small chickpeas, United States*  
21       *number 3 small chickpeas that drop below a 20/64*  
22       *screen.”.*

23          (c) *REPAYMENT OF LOANS.—Section 1204 of the Farm*  
24       *Security and Rural Investment Act of 2002 (7 U.S.C. 7934)*  
25       *is amended—*

1           (1) in subsection (a), by striking “and extra long  
2           staple cotton” and inserting “extra long staple cotton,  
3           and confectionery and each other kind of sunflower  
4           seed (other than oil sunflower seed)”;

5           (2) by redesignating subsection (f) as subsection  
6           (h); and

7           (3) by inserting after subsection (e) the following:

8           “(f) *REPAYMENT RATES FOR CONFECTIONERY AND*  
9           *OTHER KINDS OF SUNFLOWER SEEDS.—The Secretary*  
10          *shall permit the producers on a farm to repay a marketing*  
11          *assistance loan under section 1201 for confectionery and*  
12          *each other kind of sunflower seed (other than oil sunflower*  
13          *seed) at a rate that is the lesser of—*

14                 “(1) the loan rate established for the commodity  
15                 under section 1202, plus interest (determined in ac-  
16                 cordance with section 163 of the Federal Agriculture  
17                 Improvement and Reform Act of 1996 (7 U.S.C.  
18                 7283)); or

19                 “(2) the repayment rate established for oil sun-  
20                 flower seed.

21           “(g) *QUALITY GRADES FOR DRY PEAS, LENTILS, AND*  
22          *SMALL CHICKPEAS.—The loan repayment rate for dry*  
23          *peas, lentils, and small chickpeas shall be based on the qual-*  
24          *ity grades for the applicable commodity specified in section*  
25          *1202(d).”.*

1           (d) *APPLICABILITY.*—*This section and the amend-*  
 2 *ments made by this section apply beginning with the 2003*  
 3 *crop of other oilseeds (as defined in section 1001 of the*  
 4 *Farm Security and Rural Investment Act of 2002 (7 U.S.C.*  
 5 *7901)), dry peas, lentils, and small chickpeas.*

6           *SEC. 759. VALUE-ADDED PROJECTS FOR AGRICUL-*  
 7 *TURAL DIVERSIFICATION.* *Of the amount of funds that are*  
 8 *made available to producers in the State of Vermont under*  
 9 *section 524 of the Federal Crop Insurance Act (7 U.S.C.*  
 10 *1524) for fiscal year 2003, the Secretary of Agriculture may*  
 11 *make a grant of \$200,000 to the Northeast Center for Food*  
 12 *Entrepreneurship at the University of Vermont to support*  
 13 *value-added projects that contribute to agricultural diver-*  
 14 *sification in the State, to remain available until expended.*

15           *SEC. 760. PRICE SUPPORT ADJUSTMENTS. (a) CARRY*  
 16 *FORWARD ADJUSTMENT.*—*Section 319(e) of the Agricul-*  
 17 *tural Adjustment Act of 1938 (7 U.S.C. 1314e(e)) is amend-*  
 18 *ed in the fifth sentence—*

19                   (1) *by striking “: Provided, That” and inserting*  
 20                   *“; except that (1)”;* *and*

21                   (2) *by inserting before the period at the end the*  
 22                   *following: “; (2) the total quantity of all adjustments*  
 23                   *under this sentence for all farms for any crop year*  
 24                   *may not exceed 10 percent of the national basic quota*  
 25                   *for the preceding crop year, and (3) this sentence*

1       *shall not apply to the establishment of a marketing*  
2       *quota for the 2003 marketing year”.*

3       **(b) SPECIAL REQUIREMENTS.**—*During the period be-*  
4       *ginning on the date of enactment of this Act and ending*  
5       *on the last day of the 2002 marketing year for the kind*  
6       *of tobacco involved, the Secretary of Agriculture may waive*  
7       *the application of section 1464.2(b)(2) of title 7, Code of*  
8       *Federal Regulations.*

9       **(c) REGULATIONS.**—

10           **(1) IN GENERAL.**—*The Secretary of Agriculture*  
11       *may promulgate such regulations as are necessary to*  
12       *implement this section and the amendments made by*  
13       *this section.*

14           **(2) PROCEDURE.**—*The promulgation of the regu-*  
15       *lations and administration of this section and the*  
16       *amendments made by this section shall be made with-*  
17       *out regard to—*

18                   **(A)** *the notice and comment provisions of*  
19                   *section 553 of title 5, United States Code;*

20                   **(B)** *the Statement of Policy of the Secretary*  
21                   *of Agriculture effective July 24, 1971 (36 Fed.*  
22                   *Reg. 13804), relating to notices of proposed rule-*  
23                   *making and public participation in rulemaking;*  
24                   *and*

1           (C) chapter 35 of title 44, United States  
2           Code (commonly known as the “Paperwork Re-  
3           duction Act”).

4           (3) CONGRESSIONAL REVIEW OF AGENCY RULE-  
5           MAKING.—In carrying out this subsection, the Sec-  
6           retary shall use the authority provided under section  
7           808 of title 5, United States Code.

8           SEC. 761. SENSE OF THE SENATE CONCERNING CER-  
9           TAIN FUNDS FOR TECHNICAL ASSISTANCE FOR MANDATORY  
10          CONSERVATION PROGRAMS. (a) FINDINGS.—The Senate  
11          finds that—

12           (1) conservation technical assistance provided  
13           through the Department of Agriculture is essential to  
14           help the farmers, ranchers, and landowners of the  
15           United States to implement and maintain critical  
16           conservation practices;

17           (2) Congress provided a historic increase in  
18           mandatory funding for voluntary conservation efforts  
19           in the Farm Security and Rural Investment Act of  
20           2002 (Public Law 107–171);

21           (3) in that Act, Congress provided mandatory  
22           funding sufficient to cover all conservation technical  
23           assistance needed to carry out conservation programs;

24           (4) under that Act, conservation technical assist-  
25           ance is provided to carry out conservation programs;

1           (5) *the General Accounting Office has determined*  
2 *that, under the Farm Security and Rural Investment*  
3 *Act of 2002, funding for conservation technical*  
4 *assistance—*

5                 (A) *is provided directly for conservation*  
6 *programs; and*

7                 (B) *is not subject to the limitation specified*  
8 *in section 11 of the Commodity Credit Corpora-*  
9 *tion Charter Act (15 U.S.C. 714i); and*

10           (6) *the General Accounting Office has determined*  
11 *that funds in the Conservation Operations account*  
12 *cannot be used to fund conservation technical assist-*  
13 *ance for conservation programs under the Farm Secu-*  
14 *rity and Rural Investment Act of 2002.*

15           (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*  
16 *ate that—*

17                 (1) *the President should provide full funding for*  
18 *conservation technical assistance in order to imple-*  
19 *ment conservation programs under title XII of the*  
20 *Food Security Act of 1985 (16 U.S.C. 3801 et seq.);*  
21 *and*

22                 (2) *the President should not use funds from the*  
23 *Conservation Operations account to provide conserva-*  
24 *tion technical assistance for carrying out conservation*  
25 *programs directly funded by that title.*

1        *SEC. 762. RURAL HOUSING SERVICE. Title III of the*  
2 *Agriculture, Rural Development, Food and Drug Adminis-*  
3 *tration, and Related Agencies Appropriations Act, 2001, is*  
4 *amended in the first paragraph under the heading “RURAL*  
5 *HOUSING INSURANCE FUND PROGRAM ACCOUNT (INCLUDING*  
6 *TRANSFER OF FUNDS)” under the heading “RURAL HOUS-*  
7 *ING SERVICE” (114 Stat. 1549, 1549A–19) by inserting be-*  
8 *fore the period at the end the following: “: Provided further,*  
9 *That after September 30, 2002, any funds remaining for*  
10 *the demonstration program may be used, within the State*  
11 *in which the demonstration program is carried out, for fis-*  
12 *cal year 2003 and subsequent fiscal years to make grants,*  
13 *and to cover the costs (as defined in section 502 of the Con-*  
14 *gressional Budget and Impoundment Control Act of 1974*  
15 *(2 U.S.C. 661a)) of loans authorized, under section 504 of*  
16 *the Housing Act of 1949 (42 U.S.C. 1474)”.*

17        *SEC. 763. CORN. (a) IN GENERAL.—Notwithstanding*  
18 *any other provision of law, the Secretary of Agriculture*  
19 *shall consider the planting, prevented planting, and pro-*  
20 *duction of corn used to produce popcorn as the planting,*  
21 *prevented planting, and production of corn for the purposes*  
22 *of determining base acres and payment yields for direct and*  
23 *counter-cyclical payments under subtitle A of title I of Pub-*  
24 *lic Law 107–171.*

1       **(b) EFFECTIVE DATE.**—*This section takes effect on Oc-*  
2 *tober 1, 2003.*

3       **SEC. 764. (a) The Senate finds that—**

4           (1) *there are immediate needs for additional food*  
5 *aid in sub-Saharan Africa where more than 38 mil-*  
6 *lion people are at risk of starvation;*

7           (2) *there are serious shortfalls of food aid in*  
8 *other parts of the world, including Afghanistan a key*  
9 *nation in the war on terror, that have put millions*  
10 *at risk of starvation;*

11          (3) *other potential emergencies in Iraq, North*  
12 *Korea, and other regions could place millions more at*  
13 *risk of starvation;*

14          (4) *prices have increased by 30 percent over the*  
15 *course of the past year for certain staple commodities;*

16          (5) *additional food aid helps build goodwill to-*  
17 *wards the United States, is consistent with the Na-*  
18 *tional Security Strategy of the United States, dated*  
19 *September 17, 2002, and reduces the conditions that*  
20 *can contribute to international terrorism.*

21       **(b) It is the sense of the Senate that:**

22           (1) *The Secretary of Agriculture should imme-*  
23 *diately use the funds, facilities, and authorities of the*  
24 *Commodity Credit Corporation to ensure that United*  
25 *States contributions for international humanitarian*



1       *food assistance for each fiscal year 2003 through 2007*  
 2       *shall be no less than the previous five year average be-*  
 3       *ginning on the date of enactment of this Act.*

4               *(2) The President should immediately submit an*  
 5       *emergency supplemental request to meet any addi-*  
 6       *tional shortfalls in fiscal year 2003 for food aid to*  
 7       *vulnerable populations living in sub-Saharan Africa*  
 8       *that are not met by actions undertaken in paragraph*  
 9       *(1) or by any other provision in this Act.*

10       *SEC. 765. (a) STUDY ON THE SALE OF MILK INTO*  
 11       *CALIFORNIA.—Within 90 days, the Secretary shall report*  
 12       *to Congress on the economic impacts to California dairy*  
 13       *farmers from handlers or processors of Class I milk products*  
 14       *in the Las Vegas-Nevada-Arizona region selling milk or*  
 15       *milk products into the California State order.*

16               *(b) EXEMPTION OF MILK HANDLERS FROM MINIMUM*  
 17       *PRICE REQUIREMENTS.—Section 8c(5) of the Agricultural*  
 18       *Adjustment Act (7 U.S.C. 608c(5)), reenacted with amend-*  
 19       *ments by the Agricultural Marketing Agreement Act of 1937*  
 20       *(as amended by subsection (a)), is amended by adding at*  
 21       *the end the following:*

22                        “(N) *EXEMPTION OF MILK HANDLERS FROM*  
 23                *MINIMUM PRICE REQUIREMENTS.—Notwith-*  
 24                *standing any other provision of this subsection,*  
 25                *prior to January 1, 2005, no handler with dis-*

1            *tribution of Class I milk products in the Ari-*  
 2            *zona-Las Vegas marketing area (Order No. 131)*  
 3            *or Pacific Northwest marketing area (Order No.*  
 4            *124) shall be exempt during any month from*  
 5            *any minimum milk price requirement estab-*  
 6            *lished by the Secretary under this subsection if*  
 7            *the total distribution of Class I products within*  
 8            *the Arizona-Las Vegas marketing area or the Pa-*  
 9            *cific Northwest marketing area of any handler's*  
 10           *own farm production exceeds the lesser of—*

11                    *“(i) 3 percent of the total quantity of*  
 12                    *Class I products distributed in the Arizona-*  
 13                    *Las Vegas marketing area (Order No. 131)*  
 14                    *or the Pacific Northwest marketing area*  
 15                    *(Order No. 124); or*

16                    *“(ii) 5,000,000 pounds.”.*

17            *(c) EXCLUSION OF CLARK COUNTY, NEVADA FROM*  
 18            *FEDERAL MILK MARKETING ORDERS.—*

19                    *(1) IN GENERAL.—Section 8c(11)(C) the Agricul-*  
 20                    *tural Adjustment Act (7 U.S.C. 608c(11)(C)), reen-*  
 21                    *acted with amendments by the Agricultural Mar-*  
 22                    *keting Agreement Act of 1937, is amended by striking*  
 23                    *the last sentence and inserting the following: “In the*  
 24                    *case of milk and its products, Clark County, Nevada*

1       *shall not be within a marketing area defined in any*  
 2       *order issued under this section.”.*

3               (2) *INFORMAL RULEMAKING.—The Secretary of*  
 4       *Agriculture may modify an order issued under section*  
 5       *8c of the Agricultural Adjustment Act (7 U.S.C.*  
 6       *608c), reenacted with amendments by the Agricultural*  
 7       *Marketing Agreement Act of 1937, to implement the*  
 8       *amendment made by paragraph (1) by promulgating*  
 9       *regulations, without regard to sections 556 and 557*  
 10       *of title 5, United States Code.*

11       *This division may be cited as the “Agriculture, Rural*  
 12       *Development, Food and Drug Administration, and Related*  
 13       *Agencies Appropriations Act, 2003”.*

14       *DIVISION B—COMMERCE, JUSTICE, AND STATE,*  
 15       *THE JUDICIARY, AND RELATED AGENCIES*  
 16       *APPROPRIATIONS, 2003*

17       *Making appropriations for the Departments of Commerce,*  
 18       *Justice, and State, the Judiciary, and related agen-*  
 19       *cies for the fiscal year ending September 30, 2003,*  
 20       *and for other purposes.*

21       *That the following sums are appropriated, out of any*  
 22       *money in the Treasury not otherwise appropriated, for the*  
 23       *fiscal year ending September 30, 2003, and for other pur-*  
 24       *poses, namely:*

1            *TITLE I—DEPARTMENT OF JUSTICE*2                            *GENERAL ADMINISTRATION*3                                    *SALARIES AND EXPENSES*

4            *For expenses necessary for the administration of the*  
5 *Department of Justice, \$99,696,000, of which not to exceed*  
6 *\$3,137,000 is for the Facilities Program 2000, to remain*  
7 *available until expended: Provided, That not to exceed 43*  
8 *permanent positions and 44 full-time equivalent workyears*  
9 *and \$8,625,000 shall be expended for the Department Lead-*  
10 *ership Program exclusive of augmentation that occurred in*  
11 *these offices in fiscal year 2002: Provided further, That not*  
12 *to exceed 31 permanent positions, 33 full-time equivalent*  
13 *workyears and \$3,225,000 shall be expended for the Office*  
14 *of Legislative Affairs: Provided further, That not to exceed*  
15 *15 permanent positions, 20 full-time equivalent workyears*  
16 *and \$1,848,000 shall be expended for the Office of Public*  
17 *Affairs: Provided further, That the Offices of Legislative*  
18 *and Public Affairs may utilize non-reimbursable details of*  
19 *career employees within the caps described in the preceding*  
20 *two provisos: Provided further, That the Attorney General*  
21 *is authorized to transfer, under such terms and conditions*  
22 *as the Attorney General shall specify, forfeited real or per-*  
23 *sonal property of limited or marginal value, as such value*  
24 *is determined by guidelines established by the Attorney Gen-*  
25 *eral, to a State or local government agency, or its des-*

1 *ignated contractor or transferee, for use to support drug*  
 2 *abuse treatment, drug and crime prevention and education,*  
 3 *housing, job skills, and other community-based public*  
 4 *health and safety programs: Provided further, That any*  
 5 *transfer under the preceding proviso shall not create or con-*  
 6 *fer any private right of action in any person against the*  
 7 *United States, and shall be treated as a reprogramming*  
 8 *under section 605 of this Act.*

9 *ANTI-TERRORISM TASK FORCES*

10 *For expenses necessary for Anti-Terrorism Task*  
 11 *Forces, including salaries and expenses, operations, equip-*  
 12 *ment, and facilities, \$63,700,000, notwithstanding any*  
 13 *other provision of law.*

14 *JOINT TERRORISM TASK FORCES*

15 *For expenses necessary for Joint Terrorism Task*  
 16 *Forces, including salaries and expenses, operations, equip-*  
 17 *ment, and facilities, \$158,547,000, notwithstanding any*  
 18 *other provision of law.*

19 *FOREIGN TERRORIST TRACKING TASK FORCE*

20 *For expenses necessary for the Foreign Terrorist*  
 21 *Tracking Task Force, including salaries and expenses, oper-*  
 22 *ations, equipment, and facilities, \$62,000,000, notwith-*  
 23 *standing any other provision of law.*

24 *JOINT AUTOMATED BOOKING SYSTEM*

25 *For expenses necessary for the nationwide deployment*  
 26 *of a Joint Automated Booking System including automated*

1 *capability to transmit fingerprint and image data,*  
 2 *\$15,973,000, notwithstanding any other provision of law,*  
 3 *to remain available until expended.*

4 *AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM/INTE-*  
 5 *GRATED AUTOMATED IDENTIFICATION SYSTEM INTE-*  
 6 *GRATION*

7 *For expenses necessary for the planning, development,*  
 8 *and deployment of an integrated fingerprint identification*  
 9 *system, including automated capability to transmit finger-*  
 10 *print and image data, \$9,000,000, to remain available*  
 11 *until expended.*

12 *CHIMERA*

13 *For expenses necessary for the design, development,*  
 14 *test, and deployment of a standards-based, integrated,*  
 15 *interoperable computer system for the Immigration and*  
 16 *Naturalization Service, as authorized, to be managed by*  
 17 *Justice Management Division, \$83,400,000, to remain*  
 18 *available until expended.*

19 *LEGAL ACTIVITIES OFFICE AUTOMATION*

20 *For necessary expenses related to the design, develop-*  
 21 *ment, engineering, acquisition, and implementation of of-*  
 22 *fice automation systems for the organizations funded under*  
 23 *the headings "Salaries and Expenses, General Legal Activi-*  
 24 *ties", and "General Administration, Salaries and Ex-*  
 25 *penses", and the United States Attorneys, the United States*  
 26 *Marshals Service, the Antitrust Division, the United States*

1 *Trustee Program, the Executive Office for Immigration Re-*  
2 *view, the Community Relations Service, the Bureau of Pris-*  
3 *ons, and the Office of Justice Programs, \$77,127,000, not-*  
4 *withstanding any other provision of law, to remain avail-*  
5 *able until expended.*

6 *NARROWBAND COMMUNICATIONS*

7 *For the expenses necessary to convert to narrowband*  
8 *communications, including for operation and maintenance*  
9 *of Land Mobile Radio legacy systems, \$149,254,000, to re-*  
10 *main available until expended.*

11 *ADMINISTRATIVE REVIEW AND APPEALS*

12 *For expenses necessary for the administration of par-*  
13 *don and clemency petitions and immigration-related activi-*  
14 *ties, \$180,466,000.*

15 *DETENTION TRUSTEE*

16 *For necessary expenses of the Federal Detention Trust-*  
17 *ee who shall exercise all power and functions authorized by*  
18 *law relating to the detention of Federal prisoners in non-*  
19 *Federal institutions or otherwise in the custody of the*  
20 *United States Marshals Service; and the detention of aliens*  
21 *in the custody of the Immigration and Naturalization Serv-*  
22 *ice, \$1,385,966,000, to remain available until expended:*  
23 *Provided, That the Trustee shall be responsible for man-*  
24 *aging detention personnel and the Justice Prisoner and*  
25 *Alien Transportation System and for overseeing construc-*  
26 *tion of detention facilities or for housing related to such*

1 *detention; the management of funds appropriated to the De-*  
2 *partment for the exercise of any detention functions; and*  
3 *the direction of the United States Marshals Service and Im-*  
4 *migration and Naturalization Service with respect to the*  
5 *exercise of detention policy setting and operations for the*  
6 *Department.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*  
9 *eral, \$54,825,000; including not to exceed \$10,000 to meet*  
10 *unforeseen emergencies of a confidential character, to be ex-*  
11 *pended under the direction of, and to be accounted for solely*  
12 *under the certificate of, the Attorney General; and for the*  
13 *acquisition, lease, maintenance, and operation of motor ve-*  
14 *hicles, without regard to the general purchase price limita-*  
15 *tion for the current fiscal year.*

16 *UNITED STATES PAROLE COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the United States Parole*  
19 *Commission, \$10,114,000.*

20 *LEGAL ACTIVITIES*

21 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

22 *For expenses necessary for the legal activities of the*  
23 *Department of Justice, not otherwise provided for, includ-*  
24 *ing not to exceed \$20,000 for expenses of collecting evidence,*  
25 *to be expended under the direction of, and to be accounted*  
26 *for solely under the certificate of, the Attorney General; and*



1 *rent of private or Government-owned space in the District*  
2 *of Columbia, \$537,502,000, of which not to exceed*  
3 *\$10,000,000 for litigation support contracts shall remain*  
4 *available until expended, and of which not less than*  
5 *\$1,996,000 shall be available for necessary administrative*  
6 *expenses in accordance with the Radiation Exposure Com-*  
7 *pensation Act: Provided, That of the total amount appro-*  
8 *priated, not to exceed \$1,000 shall be available to the United*  
9 *States National Central Bureau, INTERPOL, for official*  
10 *reception and representation expenses: Provided further,*  
11 *That notwithstanding any other provision of law, upon a*  
12 *determination by the Attorney General that emergent cir-*  
13 *cumstances require additional funding for litigation activi-*  
14 *ties of the Civil Division, the Attorney General may trans-*  
15 *fer such amounts to "Salaries and Expenses, General Legal*  
16 *Activities" from available appropriations for the current*  
17 *fiscal year for the Department of Justice, as may be nec-*  
18 *essary to respond to such circumstances: Provided further,*  
19 *That any transfer pursuant to the previous proviso shall*  
20 *be treated as a reprogramming under section 605 of this*  
21 *Act and shall not be available for obligation or expenditure*  
22 *except in compliance with the procedures set forth in that*  
23 *section.*

24 *In addition, for reimbursement of expenses of the De-*  
25 *partment of Justice associated with processing cases under*

1 *the National Childhood Vaccine Injury Act of 1986, as*  
2 *amended, not to exceed \$4,028,000, to be appropriated from*  
3 *the Vaccine Injury Compensation Trust Fund.*

4 *SALARIES AND EXPENSES, ANTITRUST DIVISION*

5 *For expenses necessary for the enforcement of antitrust*  
6 *and kindred laws, \$133,133,000: Provided, That, notwith-*  
7 *standing any other provision of law, not to exceed*  
8 *\$133,133,000 of offsetting collections derived from fees col-*  
9 *lected for premerger notification filings under the Hart-*  
10 *Scott-Rodino Antitrust Improvements Act of 1976 (15*  
11 *U.S.C. 18a), regardless of the year of collection, shall be*  
12 *retained and used for necessary expenses in this appropri-*  
13 *ation, and shall remain available until expended: Provided*  
14 *further, That the sum herein appropriated from the general*  
15 *fund shall be reduced as such offsetting collections are re-*  
16 *ceived during fiscal year 2003, so as to result in a final*  
17 *fiscal year 2003 appropriation from the general fund esti-*  
18 *mated at not more than \$0.*

19 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

20 *For necessary expenses of the Offices of the United*  
21 *States Attorneys, including inter-governmental and cooper-*  
22 *ative agreements, \$1,320,160,000; of which not to exceed*  
23 *\$2,500,000 shall be available until September 30, 2004, for:*  
24 *(1) training personnel in debt collection; (2) locating debt-*  
25 *ors and their property; (3) paying the net costs of selling*  
26 *property; and (4) tracking debts owed to the United States*

1 *Government: Provided, That of the total amount appro-*  
2 *priated, not to exceed \$8,000 shall be available for official*  
3 *reception and representation expenses: Provided further,*  
4 *That not to exceed \$10,000,000 of those funds available for*  
5 *automated litigation support contracts shall remain avail-*  
6 *able until expended: Provided further, That not to exceed*  
7 *\$2,500,000 for the operation of the National Advocacy Cen-*  
8 *ter shall remain available until expended: Provided further,*  
9 *That, in addition to reimbursable full-time equivalent*  
10 *workyears available to the Offices of the United States At-*  
11 *torneys, not to exceed 9,571 positions and 9,776 full-time*  
12 *equivalent workyears shall be supported from the funds ap-*  
13 *propriated in this Act for the United States Attorneys: Pro-*  
14 *vided further, That the fourth proviso under the heading*  
15 *“Salaries and Expenses, United States Attorneys” in title*  
16 *I of H.R. 3421 of the 106th Congress, as enacted by section*  
17 *1000(a)(1) of Public Law 106–113 shall apply to amounts*  
18 *made available under this heading for fiscal year 2003:*  
19 *Provided further, That of the total amount appropriated,*  
20 *\$20,000,000 shall be for the Anti-terrorism Task Forces to*  
21 *coordinate Port Security pilot projects in Norfolk, Virginia,*  
22 *Charleston, South Carolina, New Orleans, Louisiana, and*  
23 *Long Beach, California, and for the costs of reimbursable*  
24 *details, overtime for State and local law enforcement per-*

1 *sonnel, equipment, facilities, and other associated oper-*  
2 *ational costs.*

3 *UNITED STATES TRUSTEE SYSTEM FUND*

4 *For necessary expenses of the United States Trustee*  
5 *Program, as authorized, \$150,381,000, to remain available*  
6 *until expended and to be derived from the United States*  
7 *Trustee System Fund: Provided, That, notwithstanding any*  
8 *other provision of law, deposits to the Fund shall be avail-*  
9 *able in such amounts as may be necessary to pay refunds*  
10 *due depositors: Provided further, That, notwithstanding*  
11 *any other provision of law, \$150,381,000 of offsetting collec-*  
12 *tions pursuant to 28 U.S.C. 589a(b) shall be retained and*  
13 *used for necessary expenses in this appropriation and re-*  
14 *main available until expended: Provided further, That the*  
15 *sum herein appropriated from the Fund shall be reduced*  
16 *as such offsetting collections are received during fiscal year*  
17 *2003, so as to result in a final fiscal year 2003 appropria-*  
18 *tion from the Fund estimated at \$0.*

19 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*

20 *COMMISSION*

21 *For expenses necessary to carry out the activities of*  
22 *the Foreign Claims Settlement Commission, \$1,136,000.*

23 *SALARIES AND EXPENSES, UNITED STATES MARSHALS*

24 *SERVICE*

25 *For necessary expenses of the United States Marshals*  
26 *Service, including the acquisition, lease, maintenance, and*

1 *operation of vehicles, and the purchase of passenger motor*  
2 *vehicles for police-type use, without regard to the general*  
3 *purchase price limitation for the current fiscal year,*  
4 *\$661,085,000, of which not to exceed \$6,000 shall be avail-*  
5 *able for official reception and representation expenses, and*  
6 *of which not to exceed \$4,000,000 shall remain available*  
7 *until expended for development, implementation, mainte-*  
8 *nance and support, and training for an automated prisoner*  
9 *information system.*

10 *In addition, for the costs of courthouse security equip-*  
11 *ment, including furnishings, relocations, and telephone sys-*  
12 *tems and cabling, \$12,061,000, to remain available until*  
13 *expended.*

14 *CONSTRUCTION*

15 *For planning, constructing, renovating, equipping,*  
16 *and maintaining United States Marshals Service prisoner-*  
17 *holding space in United States courthouses and Federal*  
18 *buildings, including the renovation and expansion of pris-*  
19 *oner movement areas, elevators, and sallyports,*  
20 *\$17,378,000, notwithstanding any other provision of law,*  
21 *to remain available until expended.*

22 *JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM*

23 *For necessary expenses to procure four modern, fuel*  
24 *efficient, wide body replacement aircraft and spares,*  
25 *\$77,694,000, notwithstanding any other provision of law,*  
26 *to remain available until expended.*

1                    *FEES AND EXPENSES OF WITNESSES*

2            *For expenses, mileage, compensation, and per diems*  
3 *of witnesses, for expenses of contracts for the procurement*  
4 *and supervision of expert witnesses, for private counsel ex-*  
5 *penses, and for per diems in lieu of subsistence, as author-*  
6 *ized by law, including advances, \$156,145,000, to remain*  
7 *available until expended; of which not to exceed \$6,000,000*  
8 *may be made available for planning, construction, renova-*  
9 *tions, maintenance, remodeling, and repair of buildings,*  
10 *and the purchase of equipment incident thereto, for pro-*  
11 *ected witness safesites; of which not to exceed \$1,000,000*  
12 *may be made available for the purchase and maintenance*  
13 *of armored vehicles for transportation of protected wit-*  
14 *nesses; and of which not to exceed \$5,000,000 may be made*  
15 *available for the purchase, installation, and maintenance*  
16 *of secure telecommunications equipment and a secure auto-*  
17 *mated information network to store and retrieve the identi-*  
18 *ties and locations of protected witnesses.*

19                    *SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE*

20            *For necessary expenses of the Community Relations*  
21 *Service, \$9,474,000.*

22                    *ASSETS FORFEITURE FUND*

23            *For authorized expenses, \$22,949,000, to be derived*  
24 *from the Department of Justice Assets Forfeiture Fund.*

1                    *INTERAGENCY LAW ENFORCEMENT*2                    *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

3                    *For necessary expenses for the detection, investigation,*  
4 *and prosecution of individuals involved in organized crime*  
5 *drug trafficking not otherwise provided for, to include inter-*  
6 *governmental agreements with State and local law enforce-*  
7 *ment agencies engaged in the investigation and prosecution*  
8 *of individuals involved in organized crime drug trafficking,*  
9 *\$400,102,000, of which \$50,000,000 shall remain available*  
10 *until expended: Provided, That any amounts obligated from*  
11 *appropriations under this heading may be used under au-*  
12 *thorities available to the organizations reimbursed from this*  
13 *appropriation: Provided further, That any unobligated bal-*  
14 *ances remaining available at the end of the fiscal year shall*  
15 *revert to the Attorney General for reallocation among par-*  
16 *ticipating organizations in succeeding fiscal years, subject*  
17 *to the reprogramming procedures set forth in section 605*  
18 *of this Act.*

19                    *FEDERAL BUREAU OF INVESTIGATION*20                    *SALARIES AND EXPENSES*

21                    *For necessary expenses of the Federal Bureau of Inves-*  
22 *tigation for detection, investigation, and prosecution of*  
23 *crimes against the United States; including purchase for*  
24 *police-type use of not to exceed 1,576 passenger motor vehi-*  
25 *cles, of which 1,085 will be for replacement only, without*

1 regard to the general purchase price limitation for the cur-  
 2 rent fiscal year, and hire of passenger motor vehicles; acqui-  
 3 sition, lease, maintenance, and operation of aircraft; and  
 4 not to exceed \$70,000 to meet unforeseen emergencies of a  
 5 confidential character, to be expended under the direction  
 6 of, and to be accounted for solely under the certificate of,  
 7 the Attorney General, \$3,927,587,000; of which not to exceed  
 8 \$65,000,000 for automated data processing and tele-  
 9 communications and technical investigative equipment and  
 10 not to exceed \$1,000,000 for undercover operations shall re-  
 11 main available until September 30, 2004; of which  
 12 \$475,300,000 shall be for counterterrorism investigations,  
 13 foreign counterintelligence, and other activities related to  
 14 our national security; of which not to exceed \$10,000,000  
 15 is authorized to be made available for making advances for  
 16 expenses arising out of contractual or reimbursable agree-  
 17 ments with State and local law enforcement agencies while  
 18 engaged in cooperative activities related to violent crime,  
 19 terrorism, organized crime, and drug investigations: Pro-  
 20 vided, That not to exceed \$45,000 shall be available for offi-  
 21 cial reception and representation expenses: Provided fur-  
 22 ther, That funds provided under this heading shall be dis-  
 23 tributed in the manner described in the following table:

<i>Decision unit</i>	<i>Amount</i>
Counterterrorism .....	\$577,846,000
National Security .....	644,483,000
Cyber-investigations .....	155,189,000
Criminal Enterprises and Federal Crimes .....	1,412,309,000





1 *bursable full-time equivalent workyears available to the*  
2 *Drug Enforcement Administration, not to exceed 7,654 po-*  
3 *sitions and 7,515 full-time equivalent workyears shall be*  
4 *supported from the funds appropriated in this Act for the*  
5 *Drug Enforcement Administration.*

6 *IMMIGRATION AND NATURALIZATION SERVICE*

7 *SALARIES AND EXPENSES*

8 *For expenses necessary for the administration and en-*  
9 *forcement of the laws relating to immigration, naturaliza-*  
10 *tion, and alien registration, \$3,241,787,000: Provided, That*  
11 *of the amount appropriated under this heading \$80,200,000*  
12 *shall be available only for the Entry Exit System, to be*  
13 *managed by the Justice Management Division: Provided*  
14 *further, That, of the amounts made available in the pre-*  
15 *ceding proviso, \$42,400,000 shall only be available for plan-*  
16 *ning, program support, environmental analysis and miti-*  
17 *gation, real estate acquisition, design and construction:*  
18 *Provided further, That \$25,500,000 shall only be available*  
19 *for an entry-exit system pilot, including demonstration*  
20 *projects on the southern and northern border, and*  
21 *\$12,300,000 shall only be available for system development:*  
22 *Provided further, That none of the funds appropriated in*  
23 *this Act, or in Public Law 107–117, for the Immigration*  
24 *and Naturalization Service’s Entry Exit System may be*  
25 *obligated until the INS submits a plan for expenditure that:*

1 (1) meets the capital planning and investment control re-  
2 view requirements established by the Office of Management  
3 and Budget, including OMB Circular A-11, part 3; (2)  
4 complies with the acquisition rules, requirements, guide-  
5 lines, and systems acquisition management practices of the  
6 Federal Government; (3) is reviewed by the General Ac-  
7 counting Office; and (4) has been approved by the Commit-  
8 tees on Appropriations: Provided further, That funds pro-  
9 vided under this heading shall only be available for obliga-  
10 tion and expenditure in accordance with the procedures ap-  
11 plicable to reprogramming notifications set forth in section  
12 605 of Public Law 107-77: Provided further, That none of  
13 the funds made available by this Act shall be available for  
14 any expenses relating to the National Security Entry-Exit  
15 Registration System (NSEERS), and that the Attorney  
16 General shall provide to the Committee on Appropriations  
17 all documents and materials: (1) used in the creation of  
18 the NSEERS program, including any predecessor pro-  
19 grams; (2) assessing the effectiveness of the NSEERS pro-  
20 gram as a tool to enhance national security; (3) used to  
21 determine the scope of the NSEERS program, including  
22 countries selected for the program, and the gender, age, and  
23 immigration status of the persons required to register under  
24 the program; (4) regarding future plans to expand the  
25 NSEERS program to additional countries, age groups,

1 *women, and persons holding other immigration statuses not*  
 2 *already covered; (5) explaining of whether the Department*  
 3 *of Justice consulted with other federal agencies in the devel-*  
 4 *opment of the NSEERS programs, and if so, all documents*  
 5 *and materials relating to those consultations; (6) con-*  
 6 *cerning policy directives or guidance issued to officials*  
 7 *about implementation of NSEERS, including the role of the*  
 8 *FBI in conducting national security background checks of*  
 9 *registrants; (7) explaining why certain INS District Offices*  
 10 *detained persons with pending status-adjustment applica-*  
 11 *tions; and (8) explaining how information gathered during*  
 12 *interviews of registrants will be stored, used, or transmitted*  
 13 *to other Federal, State, or local agencies.”.*

14 *CONSTRUCTION*

15 *For planning, construction, renovation, equipping,*  
 16 *and maintenance of buildings and facilities necessary for*  
 17 *the administration and enforcement of the laws relating to*  
 18 *immigration, naturalization, and alien registration, not*  
 19 *otherwise provided for, \$267,138,000, to remain available*  
 20 *until expended.*

21 *FEDERAL PRISON SYSTEM*

22 *SALARIES AND EXPENSES*

23 *For expenses necessary for the administration, oper-*  
 24 *ation, and maintenance of Federal penal and correctional*  
 25 *institutions, including purchase (not to exceed 713, of which*  
 26 *504 are for replacement only) and hire of law enforcement*

1 *and passenger motor vehicles, and for the provision of tech-*  
2 *nical assistance and advice on corrections related issues to*  
3 *foreign governments, \$4,068,237,000: Provided, That the*  
4 *Attorney General may transfer to the Health Resources and*  
5 *Services Administration such amounts as may be necessary*  
6 *for direct expenditures by that Administration for medical*  
7 *relief for inmates of Federal penal and correctional institu-*  
8 *tions: Provided further, That the Director of the Federal*  
9 *Prison System, where necessary, may enter into contracts*  
10 *with a fiscal agent/fiscal intermediary claims processor to*  
11 *determine the amounts payable to persons who, on behalf*  
12 *of the Federal Prison System, furnish health services to in-*  
13 *dividuals committed to the custody of the Federal Prison*  
14 *System: Provided further, That not to exceed \$6,000 shall*  
15 *be available for official reception and representation ex-*  
16 *penses: Provided further, That not to exceed \$50,000,000*  
17 *shall remain available for necessary operations until Sep-*  
18 *tember 30, 2004: Provided further, That the Director of the*  
19 *Federal Prison System may accept donated property and*  
20 *services relating to the operation of the prison card program*  
21 *from a not-for-profit entity which has operated such pro-*  
22 *gram in the past notwithstanding the fact that such not-*  
23 *for-profit entity furnishes services under contracts to the*  
24 *Federal Prison System relating to the operation of pre-re-*  
25 *lease services, halfway houses or other custodial facilities:*

1 *Provided further, That funds provided under this heading*  
 2 *shall be distributed in the manner described in the following*  
 3 *table:*

<i>Decision unit</i>	<i>Amount</i>
<i>Inmate Care and Programs .....</i>	<i>\$1,462,490,000</i>
<i>Institution Security and Administration .....</i>	<i>1,879,256,000</i>
<i>Contract Confinement .....</i>	<i>571,077,000</i>
<i>Management and Administration .....</i>	<i>155,414,000.</i>

4 **BUILDINGS AND FACILITIES**

5 *For planning, acquisition of sites and construction of*  
 6 *new facilities; purchase and acquisition of facilities and re-*  
 7 *modeling, and equipping of such facilities for penal and*  
 8 *correctional use, including all necessary expenses incident*  
 9 *thereto, by contract or force account; and constructing, re-*  
 10 *modeling, and equipping necessary buildings and facilities*  
 11 *at existing penal and correctional institutions, including*  
 12 *all necessary expenses incident thereto, by contract or force*  
 13 *account, \$470,221,000, to remain available until expended,*  
 14 *of which not to exceed \$14,000,000 shall be available to con-*  
 15 *struct areas for inmate work programs: Provided, That*  
 16 *labor of United States prisoners may be used for work per-*  
 17 *formed under this appropriation.*

18 **FEDERAL PRISON INDUSTRIES, INCORPORATED**

19 *The Federal Prison Industries, Incorporated, is hereby*  
 20 *authorized to make such expenditures, within the limits of*  
 21 *funds and borrowing authority available, and in accord*  
 22 *with the law, and to make such contracts and commitments,*  
 23 *without regard to fiscal year limitations as provided by sec-*

1 *tion 9104 of title 31, United States Code, as may be nec-*  
 2 *essary in carrying out the program set forth in the budget*  
 3 *for the current fiscal year for such corporation, including*  
 4 *purchase (not to exceed five for replacement only) and hire*  
 5 *of passenger motor vehicles.*

6 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*  
 7 *PRISON INDUSTRIES, INCORPORATED*

8 *Not to exceed \$3,429,000 of the funds of the corporation*  
 9 *shall be available for its administrative expenses, and for*  
 10 *services as authorized by 5 U.S.C. 3109, to be computed*  
 11 *on an accrual basis to be determined in accordance with*  
 12 *the corporation's current prescribed accounting system, and*  
 13 *such amounts shall be exclusive of depreciation, payment*  
 14 *of claims, and expenditures which the said accounting sys-*  
 15 *tem requires to be capitalized or charged to cost of commod-*  
 16 *ities acquired or produced, including selling and shipping*  
 17 *expenses, and expenses in connection with acquisition, con-*  
 18 *struction, operation, maintenance, improvement, protec-*  
 19 *tion, or disposition of facilities and other property belong-*  
 20 *ing to the corporation or in which it has an interest.*

21 *OFFICE OF JUSTICE PROGRAMS*

22 *JUSTICE ASSISTANCE*

23 *For grants, contracts, cooperative agreements, and*  
 24 *other assistance authorized by title I of the Omnibus Crime*  
 25 *Control and Safe Streets Act of 1968, as amended ("the*  
 26 *1968 Act"), and the Missing Children's Assistance Act, as*

1 *amended, including salaries and expenses in connection*  
2 *therewith, and with the Victims of Crime Act of 1984, as*  
3 *amended, \$194,057,000, to remain available until ex-*  
4 *pended, as authorized by section 1001 of title I of the Omni-*  
5 *bus Crime Control and Safe Streets Act of 1968, as amend-*  
6 *ed by Public Law 102-534 (106 Stat. 3524).*

7 *In addition, for grants, cooperative agreements, and*  
8 *other assistance authorized by sections 819 and 821 of the*  
9 *Antiterrorism and Effective Death Penalty Act of 1996 and*  
10 *for other counterterrorism programs, notwithstanding any*  
11 *other provision of law, \$2,038,000,000, to remain available*  
12 *until expended.*

13 *STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE*

14 *For assistance authorized by the Violent Crime Control*  
15 *and Law Enforcement Act of 1994 (Public Law 103-322),*  
16 *as amended (“the 1994 Act”); the Omnibus Crime Control*  
17 *and Safe Streets Act of 1968, as amended (“the 1968 Act”);*  
18 *and the Victims of Child Abuse Act of 1990, as amended*  
19 *(“the 1990 Act”); \$1,368,415,000 (including amounts for*  
20 *administrative costs, which shall be transferred to and*  
21 *merged with the “Justice Assistance” account), to remain*  
22 *available until expended as follows:*

23 *(1) \$400,000,000 for Local Law Enforcement*  
24 *Block Grants, pursuant to H.R. 728 as passed by the*  
25 *House of Representatives on February 14, 1995, ex-*  
26 *cept that for purposes of this Act and retroactive to*



1        *October 1, 2000, Guam shall be considered as one*  
2        *“State” for all purposes under H.R. 728, notwith-*  
3        *standing any provision of section 108(3) thereof: Pro-*  
4        *vided, That no funds provided under this heading*  
5        *may be used as matching funds for any other Federal*  
6        *grant program, of which:*

7                *(A) \$90,000,000 shall be for Boys and Girls*  
8                *Clubs in public housing facilities and other areas*  
9                *in cooperation with State and local law enforce-*  
10              *ment: Provided, That funds may also be used to*  
11              *defray the costs of indemnification insurance for*  
12              *law enforcement officers;*

13              *(B) \$20,000,000 shall be available for*  
14              *grants, contracts, and other assistance to carry*  
15              *out section 102(c) of H.R. 728;*

16              *(2) \$20,000,000 for the Cooperative Agreement*  
17              *Program;*

18              *(3) \$48,000,000 for assistance to Indian tribes,*  
19              *of which:*

20              *(A) \$35,000,000 shall be available for*  
21              *grants under section 20109(a)(2) of subtitle A of*  
22              *title II of the 1994 Act;*

23              *(B) \$8,000,000 shall be available for the*  
24              *Tribal Courts Initiative; and*

1           (C) \$5,000,000 shall be available for dem-  
2           onstration grants on alcohol and crime in In-  
3           dian Country;

4           (4) \$134,700,000 for programs authorized by  
5           part E of title I of the 1968 Act, notwithstanding the  
6           provisions of section 511 of said Act, of which  
7           \$134,700,000 shall be for discretionary grants under  
8           the Edward Byrne Memorial State and Local Law  
9           Enforcement Assistance Programs;

10          (5) \$12,000,000 for the Court Appointed Special  
11          Advocate Program, as authorized by section 218 of the  
12          1990 Act;

13          (6) \$2,300,000 for Child Abuse Training Pro-  
14          grams for Judicial Personnel and Practitioners, as  
15          authorized by section 224 of the 1990 Act;

16          (7) \$1,000,000 for grants for televised testimony,  
17          as authorized by section 1001(a)(7) of the 1968 Act;

18          (8) \$184,765,000 for Grants to Combat Violence  
19          Against Women, as authorized by section 1001(a)(18)  
20          of the 1968 Act, of which:

21               (A) \$1,000,000 shall be for the Bureau of  
22               Justice Statistics for grants, contracts, and other  
23               assistance for a domestic violence Federal case  
24               processing study;

1           (B) \$5,200,000 shall be for the National In-  
2           stitute of Justice for grants, contracts, and other  
3           assistance for research and evaluation of violence  
4           against women;

5           (C) \$10,000,000 shall be for the Office of  
6           Juvenile Justice and Delinquency Prevention for  
7           the Safe Start Program, to be administered as  
8           authorized by part C of the Juvenile Justice and  
9           Delinquency Act of 1974, as amended;

10          (9) \$65,000,000 for Grants to Encourage Arrest  
11          Policies, as authorized by section 1001(a)(19) of the  
12          1968 Act;

13          (10) \$40,000,000 for Rural Domestic Violence  
14          and Child Abuse Enforcement Assistance Grants, as  
15          authorized by section 40295 of the 1994 Act;

16          (11) \$5,000,000 for training programs, as au-  
17          thorized by section 40152(c) of the 1994 Act, and for  
18          local demonstration projects;

19          (12) \$3,000,000 for grants to improve the process  
20          for entering data regarding stalking and domestic vi-  
21          olence into local, State, and national crime informa-  
22          tion databases, as authorized by section 40602 of the  
23          1994 Act;

1           (13) \$10,000,000 for grants to reduce Violent  
2           *Crimes Against Women on Campus, as authorized by*  
3           *section 1108(a) of Public Law 106–386;*

4           (14) \$40,000,000 for Legal Assistance for Vic-  
5           *tims, as authorized by section 1201 of Public Law*  
6           *106–386;*

7           (15) \$5,000,000 for enhancing protection for  
8           *older and disabled women from domestic violence and*  
9           *sexual assault as authorized by section 40801 of the*  
10          *1994 Act;*

11          (16) \$15,000,000 for the Safe Havens for Chil-  
12           *dren Pilot Program as authorized by section 1301 of*  
13           *Public Law 106–386;*

14          (17) \$7,500,000 for Education and Training to  
15           *end violence against and abuse of women with dis-*  
16           *abilities, as authorized by section 1402 of Public Law*  
17           *106–386;*

18          (18) \$70,000,000 for grants for residential sub-  
19           *stance abuse treatment for State prisoners, as author-*  
20           *ized by section 1001(a)(17) of the 1968 Act;*

21          (19) \$900,000 for the Missing Alzheimer’s Dis-  
22           *ease Patient Alert Program, as authorized by section*  
23           *240001(c) of the 1994 Act;*

24          (20) \$50,000,000 for Drug Courts, as authorized  
25           *by title I, part EE of the 1968 Act;*



1 *agreements, including grants, cooperative agreements, and*  
2 *contracts, with State and local law enforcement agencies,*  
3 *non-profit organizations, and agencies of local government*  
4 *engaged in the investigation and prosecution of violent*  
5 *crimes and drug offenses in “Weed and Seed” designated*  
6 *communities, and for either reimbursements or transfers to*  
7 *appropriation accounts of the Department of Justice and*  
8 *other Federal agencies which shall be specified by the Attor-*  
9 *ney General to execute the “Weed and Seed” program strat-*  
10 *egy: Provided, That funds designated by Congress through*  
11 *language for other Department of Justice appropriation ac-*  
12 *counts for “Weed and Seed” program activities shall be*  
13 *managed and executed by the Attorney General through the*  
14 *Executive Office for Weed and Seed: Provided further, That*  
15 *the Attorney General may direct the use of other Depart-*  
16 *ment of Justice funds and personnel in support of “Weed*  
17 *and Seed” program activities only after the Attorney Gen-*  
18 *eral notifies the Committees on Appropriations of the House*  
19 *of Representatives and the Senate in accordance with sec-*  
20 *tion 605 of this Act.*

21 *COMMUNITY ORIENTED POLICING SERVICES*

22 *For activities authorized by the Violent Crime Control*  
23 *and Law Enforcement Act of 1994, Public Law 103–322*  
24 *(“the 1994 Act”) (including administrative costs),*  
25 *\$1,120,228,000, to remain available until expended: Pro-*  
26 *vided, That prior year balances available in this program*

1 *shall be used for the direct hiring of law enforcement officers*  
2 *through the Universal Hiring Program: Provided further,*  
3 *That section 1703 (b) and (c) of the 1968 Act shall not*  
4 *apply to non-hiring grants made pursuant to part Q of*  
5 *title I thereof (42 U.S.C. 3796dd et seq.): Provided further,*  
6 *That all prior year balances derived from the Violent Crime*  
7 *Trust Fund for Community Oriented Policing Services may*  
8 *be transferred into this appropriation: Provided further,*  
9 *That the officer redeployment demonstration described in*  
10 *section 1701(b)(1)(C) shall not apply to equipment, tech-*  
11 *nology, support system or overtime grants made pursuant*  
12 *to part Q of title I thereof (42 U.S.C. 3796dd et seq.).*

13 *Of the amounts provided:*

14 *(1) for Public Safety and Community Policing*  
15 *Grants pursuant to title I of the 1994 Act,*  
16 *\$492,000,000 as follows: \$330,000,000 for the hiring*  
17 *of law enforcement officers, including up to*  
18 *\$180,000,000 for school resource officers; \$10,000,000*  
19 *for training school resource officers on issues related*  
20 *to terrorism; \$21,000,000 for training and technical*  
21 *assistance; \$26,000,000 for the matching grant pro-*  
22 *gram for Law Enforcement Armor Vests pursuant to*  
23 *section 2501 of part Y of the Omnibus Crime Control*  
24 *and Safe Streets Act of 1968, as amended (“the 1968*  
25 *Act”); \$40,000,000 to improve tribal law enforcement*

1 *including equipment and training; \$50,000,000 for*  
2 *policing initiatives to combat methamphetamine pro-*  
3 *duction and trafficking and to enhance policing ini-*  
4 *tiatives in “drug hot spots” of which \$10,000,000 will*  
5 *be provided for the continuance of methamphetamine*  
6 *reduction efforts; and \$15,000,000 for Police Corps*  
7 *education, training, and service under sections*  
8 *200101–200113 of the 1994 Act;*

9 *(2) for crime technology, \$426,215,000 as follows:*  
10 *\$158,815,000 for a law enforcement technology pro-*  
11 *gram; \$100,000,000 for the COPS Interoperable Com-*  
12 *munications Technology Program; \$35,000,000 for*  
13 *grants to upgrade criminal records, as authorized*  
14 *under the Crime Identification Technology Act of*  
15 *1998 (42 U.S.C. 14601); \$40,000,000 for DNA anal-*  
16 *ysis and backlog reduction of which \$35,000,000 shall*  
17 *be used as authorized by the DNA Analysis Backlog*  
18 *Elimination Act of 2000 (Public Law 106–546) and*  
19 *of which \$5,000,000 shall be available for Paul Cover-*  
20 *dell Forensic Sciences Improvement Grants under*  
21 *part BB of title I of the Omnibus Crime Control and*  
22 *Safe Streets Act of 1968 (42 U.S.C. 3797j et seq.);*  
23 *\$40,000,000 for State and local DNA laboratories as*  
24 *authorized by section 1001(a)(22) of the 1968 Act,*  
25 *and improvements to forensic laboratory general fo-*



1     *rensic science capacity and capabilities; and*  
2     *\$45,000,000 for grants, contracts and other assistance*  
3     *to States under section 102(b) of the Crime Identifica-*  
4     *tion Technology Act of 1998 (42 U.S.C. 14601), of*  
5     *which \$17,000,000 is for the National Institute of*  
6     *Justice for grants, contracts, and other agreements to*  
7     *develop school safety technologies and training;*

8             *(3) for prosecution assistance, \$100,000,000 as*  
9     *follows: \$50,000,000 for a national program to reduce*  
10    *gun violence, and \$50,000,000 for the Southwest Bor-*  
11    *der Prosecutor Initiative to reimburse State, county,*  
12    *parish, tribal, or municipal governments only for*  
13    *Federal costs associated with the prosecution of crimi-*  
14    *nal cases declined by local U.S. Attorneys offices;*

15            *(4) for grants, training, technical assistance, and*  
16    *other expenses to support community crime preven-*  
17    *tion efforts, \$67,013,000 as follows: \$15,000,000 for*  
18    *Project Sentry; \$15,000,000 for an offender re-entry*  
19    *program; \$20,013,000 for the Safe Schools Initiative;*  
20    *and \$17,000,000 for a police integrity program; and*

21            *(5) not to exceed \$35,000,000 for program man-*  
22    *agement and administration.*

23                             *JUVENILE JUSTICE PROGRAMS*

24     *For grants, contracts, cooperative agreements, and*  
25    *other assistance authorized by the Juvenile Justice and De-*  
26    *linquency Prevention Act of 1974, as amended (“the Act”),*

1 *including salaries and expenses in connection therewith to*  
2 *be transferred to and merged with the appropriations for*  
3 *Justice Assistance, \$315,425,000, to remain available until*  
4 *expended, as authorized by section 299 of part I of title*  
5 *II and section 506 of title V of the Act, as amended by*  
6 *Public Law 102-586, of which: (1) notwithstanding any*  
7 *other provision of law, \$7,112,000 shall be available for ex-*  
8 *penses authorized by part A of title II of the Act,*  
9 *\$88,800,000 shall be available for expenses authorized by*  
10 *part B of title II of the Act, and \$75,513,000 shall be avail-*  
11 *able for expenses authorized by part C of title II of the Act:*  
12 *Provided, That \$26,442,000 of the amounts provided for*  
13 *part B of title II of the Act, as amended, is for the purpose*  
14 *of providing additional formula grants under part B to*  
15 *States that provide assurances to the Administrator that*  
16 *the State has in effect (or will have in effect no later than*  
17 *1 year after date of application) policies and programs that*  
18 *ensure that juveniles are subject to accountability-based*  
19 *sanctions for every act for which they are adjudicated delin-*  
20 *quent; (2) \$12,000,000 shall be available for expenses au-*  
21 *thorized by sections 281 and 282 of part D of title II of*  
22 *the Act for prevention and treatment programs relating to*  
23 *juvenile gangs; (3) \$10,000,000 shall be available for ex-*  
24 *penses authorized by section 285 of part E of title II of*  
25 *the Act; (4) \$16,000,000 shall be available for expenses au-*

1 *thorized by part G of title II of the Act for juvenile men-*  
2 *toring programs; and (5) \$95,000,000 shall be available for*  
3 *expenses authorized by title V of the Act for incentive grants*  
4 *for local delinquency prevention programs; of which*  
5 *\$12,500,000 shall be for delinquency prevention, control,*  
6 *and system improvement programs for tribal youth; of*  
7 *which \$15,000,000 shall be available for the Safe Schools*  
8 *Initiative including \$5,000,000 for grants, contracts, and*  
9 *other assistance under the Project Sentry Initiative; and*  
10 *of which \$25,000,000 shall be available for grants of*  
11 *\$360,000 to each State and \$6,640,000 shall be available*  
12 *for discretionary grants to States, for programs and activi-*  
13 *ties to enforce State laws prohibiting the sale of alcoholic*  
14 *beverages to minors or the purchase or consumption of alco-*  
15 *holic beverages by minors, prevention and reduction of con-*  
16 *sumption of alcoholic beverages by minors, and for technical*  
17 *assistance and training: Provided further, That of amounts*  
18 *made available under the Juvenile Justice Programs of the*  
19 *Office of Justice Programs to carry out part B (relating*  
20 *to Federal Assistance for State and Local Programs), sub-*  
21 *part II of part C (relating to Special Emphasis Prevention*  
22 *and Treatment Programs), part D (relating to Gang-Free*  
23 *Schools and Communities and Community-Based Gang*  
24 *Intervention), part E (relating to State Challenge Activi-*  
25 *ties), and part G (relating to Mentoring) of title II of the*

1 *Juvenile Justice and Delinquency Prevention Act of 1974,*  
2 *and to carry out the At-Risk Children's Program under title*  
3 *V of that Act, not more than 10 percent of each such amount*  
4 *may be used for research, evaluation, and statistics activi-*  
5 *ties designed to benefit the programs or activities authorized*  
6 *under the appropriate part or title, and not more than 2*  
7 *percent of each such amount may be used for training and*  
8 *technical assistance activities designed to benefit the pro-*  
9 *grams or activities authorized under that part or title.*

10 *In addition, for grants, contracts, cooperative agree-*  
11 *ments, and other assistance authorized by the Victims of*  
12 *Child Abuse Act of 1990, as amended, \$11,000,000, to re-*  
13 *main available until expended, as authorized by section*  
14 *214B of the Act.*

15 *ELECTION REFORM GRANT PROGRAM*

16 *For an amount to establish the Election Reform Grant*  
17 *Program, to provide assistance to States and localities in*  
18 *improving election technology and the administration of*  
19 *Federal elections, \$31,000,000.*

20 *PUBLIC SAFETY OFFICERS BENEFITS*

21 *To remain available until expended, for payments au-*  
22 *thorized by part L of title I of the Omnibus Crime Control*  
23 *and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended,*  
24 *such sums as are necessary, as authorized by section 6093*  
25 *of Public Law 100-690 (102 Stat. 4339-4340); and*

1 \$4,000,000, to remain available until expended for pay-  
2 ments as authorized by section 1201(b) of said Act.

3 *GENERAL PROVISIONS—DEPARTMENT OF JUSTICE*

4 *SEC. 101. In addition to amounts otherwise made*  
5 *available in this title for official reception and representa-*  
6 *tion expenses, a total of not to exceed \$60,000 from funds*  
7 *appropriated to the Department of Justice in this title shall*  
8 *be available to the Attorney General for official reception*  
9 *and representation expenses in accordance with distribu-*  
10 *tions, procedures, and regulations established by the Attor-*  
11 *ney General.*

12 *SEC. 102. (a) Notwithstanding any other provision of*  
13 *law, not to exceed \$10,000,000 of the funds made available*  
14 *in this Act may be used to establish and publicize a pro-*  
15 *gram under which publicly advertised, extraordinary re-*  
16 *wards may be paid, which shall not be subject to spending*  
17 *limitations contained in sections 3059 and 3072 of title 18,*  
18 *United States Code: Provided, That any reward of \$100,000*  
19 *or more, up to a maximum of \$2,000,000, may not be made*  
20 *without the personal approval of the President or the Attor-*  
21 *ney General and such approval may not be delegated: Pro-*  
22 *vided further, That rewards made pursuant to section 501*  
23 *of Public Law 107–56 shall not be subject to this section.*

24 *(b) Notwithstanding any other provision of law, pay-*  
25 *ments made during fiscal year 2003 resulting from Doe v.*

1 *United States [docket #98–896C], before the Court of Fed-*  
2 *eral Claims, shall only be paid from appropriations made*  
3 *available under the headings “Salaries and Expenses, Gen-*  
4 *eral Legal Activities” and “Salaries and Expenses, United*  
5 *States Attorneys” in title I of this Act.*

6       *SEC. 103. Not to exceed 5 percent of any appropriation*  
7 *made available for the current fiscal year for the Depart-*  
8 *ment of Justice in this Act may be transferred between such*  
9 *appropriations, but no such appropriation, except as other-*  
10 *wise specifically provided, shall be increased by more than*  
11 *10 percent by any such transfers: Provided, That any trans-*  
12 *fer pursuant to this section shall be treated as a reprogram-*  
13 *ming of funds under section 605 of this Act and shall not*  
14 *be available for obligation except in compliance with the*  
15 *procedures set forth in that section.*

16       *SEC. 104. Notwithstanding any other provision of law,*  
17 *\$1,000,000 shall be available for technical assistance from*  
18 *the funds appropriated for part G of title II of the Juvenile*  
19 *Justice and Delinquency Prevention Act of 1974, as amend-*  
20 *ed.*

21       *SEC. 105. The Immigration and Nationality Act of*  
22 *1953 is amended—*

23               *(1) in section 344(c) (8 U.S.C. 1455(c)), by re-*  
24               *placing “All” with “Except as provided by section*  
25               *286(q)(2) or any other law, all”; and*

1           (2) in section 286(q)(2) (8 U.S.C. 1356(q)(2)),  
2           by inserting “, including receipts for services per-  
3           formed in processing forms I-94, I-94W, and I-68,  
4           and other similar applications processed at land bor-  
5           der ports of entry,” after “subsection”.

6           SEC. 106. In instances where the Attorney General de-  
7           termines that law enforcement-, security-, or mission-re-  
8           lated considerations mitigate against obtaining mainte-  
9           nance or repair services from private sector entities for  
10          equipment under warranty, the Attorney General is author-  
11          ized to seek reimbursement from such entities for warranty  
12          work performed at Department of Justice facilities and,  
13          notwithstanding any other provision of law, to credit any  
14          payment made for such work to any appropriation charged  
15          therefore.

16          SEC. 107. Public Law 107-273 is amended—

17               (1) in section 12222(b), strike “on October 1,  
18               2002” and insert in lieu thereof the following: “on the  
19               effective date provided in section 12102(b)”;

20               (2) in section 12223(a), strike “on the date of the  
21               enactment of this Act” and insert in lieu thereof the  
22               following: “on the effective date provided in section  
23               12102(b)”;

24               (3) in section 12223(b), by replacing “Act” with  
25               “subtitle”, and all the matter after “beginning” with

1       *“on or after the effective date provided in subsection*  
2       *(a).”.*

3       *SEC. 108. The law enforcement training facility de-*  
4       *scribed in section 8150 of Public Law 107–248 is hereby*  
5       *established as a permanent training facility.*

6       *SEC. 109. Notwithstanding any other provision of law,*  
7       *in fiscal year 2003 and thereafter the Attorney General*  
8       *shall transfer to the “Narrowband Communications” ac-*  
9       *count all funds made available to the Department of Justice*  
10      *for the purchase of portable and mobile radios: Provided,*  
11      *That the Attorney General shall notify the Committees on*  
12      *Appropriations of the Senate and House of Representatives*  
13      *of any transfers made under this section.*

14      *SEC. 110. In addition to the funds provided elsewhere*  
15      *in this joint resolution, the following sums are appro-*  
16      *priated, out of any money in the Treasury not otherwise*  
17      *appropriated, for fiscal year 2003: \$10,000,000 to provide*  
18      *for grants as authorized by section 11027 of Public Law*  
19      *107–273, to implement the Crime-free Rural States Pro-*  
20      *gram.*

21      *(b) The amount made available under the account for*  
22      *buildings and facilities of the Federal Prison System in this*  
23      *joint resolution is reduced by \$10,000,000.*

24      *SEC. 111. None of the funds appropriated by this Act*  
25      *may be used to remove, deport, or detain an alien spouse*



1 *or child of an individual who died as a result of a Sep-*  
 2 *tember 11, 2001, terrorist attack, unless the alien spouse*  
 3 *or child is—*

4 *(1) inadmissible under paragraph (2) or (3) of*  
 5 *section 212(a) of the Immigration and Nationality*  
 6 *Act (8 U.S.C. 1182(a)) or deportable under para-*  
 7 *graph (2) or (4) of section 237(a) of that Act (8*  
 8 *U.S.C. 1227(a)) (including any terrorist perpetrator*  
 9 *of a September 11, 2001, terrorist attack against the*  
 10 *United States); or*

11 *(2) a member of the family of a person described*  
 12 *in paragraph (1).*

13 *This title may be cited as the “Department of Justice*  
 14 *Appropriations Act, 2003”.*

15 *TITLE II—DEPARTMENT OF COMMERCE AND*

16 *RELATED AGENCIES*

17 *TRADE AND INFRASTRUCTURE DEVELOPMENT*

18 *RELATED AGENCIES*

19 *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Office of the United*  
 22 *States Trade Representative, including the hire of passenger*  
 23 *motor vehicles and the employment of experts and consult-*  
 24 *ants as authorized by 5 U.S.C. 3109, \$33,000,000, of which*  
 25 *\$1,000,000 shall remain available until expended: Provided,*

1 *That not to exceed \$98,000 shall be available for official*  
2 *reception and representation expenses.*

3 *INTERNATIONAL TRADE COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the International Trade*  
6 *Commission, including hire of passenger motor vehicles,*  
7 *and services as authorized by 5 U.S.C. 3109, and not to*  
8 *exceed \$2,500 for official reception and representation ex-*  
9 *penses, \$54,600,000, to remain available until expended.*

10 *DEPARTMENT OF COMMERCE*

11 *INTERNATIONAL TRADE ADMINISTRATION*

12 *OPERATIONS AND ADMINISTRATION*

13 *For necessary expenses for international trade activi-*  
14 *ties of the Department of Commerce provided for by law,*  
15 *and for engaging in trade promotional activities abroad,*  
16 *including expenses of grants and cooperative agreements for*  
17 *the purpose of promoting exports of United States firms,*  
18 *without regard to 44 U.S.C. 3702 and 3703; full medical*  
19 *coverage for dependent members of immediate families of*  
20 *employees stationed overseas and employees temporarily*  
21 *posted overseas; travel and transportation of employees of*  
22 *the United States and Foreign Commercial Service between*  
23 *two points abroad, without regard to 49 U.S.C. 1517; em-*  
24 *ployment of Americans and aliens by contract for services;*  
25 *rental of space abroad for periods not exceeding 10 years,*

1 *and expenses of alteration, repair, or improvement; pur-*  
2 *chase or construction of temporary demountable exhibition*  
3 *structures for use abroad; payment of tort claims, in the*  
4 *manner authorized in the first paragraph of 28 U.S.C. 2672*  
5 *when such claims arise in foreign countries; not to exceed*  
6 *\$327,000 for official representation expenses abroad; pur-*  
7 *chase of passenger motor vehicles for official use abroad, not*  
8 *to exceed \$30,000 per vehicle; obtaining insurance on offi-*  
9 *cial motor vehicles; and rental of tie lines, \$353,242,000,*  
10 *to remain available until expended, of which \$3,000,000 is*  
11 *to be derived from fees to be retained and used by the Inter-*  
12 *national Trade Administration, notwithstanding 31 U.S.C.*  
13 *3302: Provided, That \$68,083,000 shall be for Trade Devel-*  
14 *opment, \$28,197,000 shall be for Market Access and Compli-*  
15 *ance, \$44,006,000 shall be for the Import Administration,*  
16 *\$199,631,000 shall be for the United States and Foreign*  
17 *Commercial Service, and \$13,325,000 shall be for Executive*  
18 *Direction and Administration: Provided further, That the*  
19 *provisions of the first sentence of section 105(f) and all of*  
20 *section 108(c) of the Mutual Educational and Cultural Ex-*  
21 *change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall*  
22 *apply in carrying out these activities without regard to sec-*  
23 *tion 5412 of the Omnibus Trade and Competitiveness Act*  
24 *of 1988 (15 U.S.C. 4912); and that for the purpose of this*  
25 *Act, contributions under the provisions of the Mutual Edu-*

1 *ational and Cultural Exchange Act shall include payment*  
2 *for assessments for services provided as part of these activi-*  
3 *ties.*

4 *BUREAU OF INDUSTRY AND SECURITY*

5 *OPERATIONS AND ADMINISTRATION*

6 *For necessary expenses for export administration and*  
7 *national security activities of the Department of Commerce,*  
8 *including costs associated with the performance of export*  
9 *administration field activities both domestically and*  
10 *abroad; full medical coverage for dependent members of im-*  
11 *mediate families of employees stationed overseas; employ-*  
12 *ment of Americans and aliens by contract for services*  
13 *abroad; payment of tort claims, in the manner authorized*  
14 *in the first paragraph of 28 U.S.C. 2672 when such claims*  
15 *arise in foreign countries; not to exceed \$15,000 for official*  
16 *representation expenses abroad; awards of compensation to*  
17 *informers under the Export Administration Act of 1979,*  
18 *and as authorized by 22 U.S.C. 401(b); purchase of pas-*  
19 *senger motor vehicles for official use and motor vehicles for*  
20 *law enforcement use with special requirement vehicles eligi-*  
21 *ble for purchase without regard to any price limitation oth-*  
22 *erwise established by law, \$100,198,000, to remain avail-*  
23 *able until expended: Provided, That the provisions of the*  
24 *first sentence of section 105(f) and all of section 108(c) of*  
25 *the Mutual Educational and Cultural Exchange Act of 1961*

1 *(22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying*  
 2 *out these activities: Provided further, That payments and*  
 3 *contributions collected and accepted for materials or serv-*  
 4 *ices provided as part of such activities may be retained for*  
 5 *use in covering the cost of such activities, and for providing*  
 6 *information to the public with respect to the export admin-*  
 7 *istration and national security activities of the Department*  
 8 *of Commerce and other export control programs of the*  
 9 *United States and other governments: Provided further,*  
 10 *That all programs and activities under this heading related*  
 11 *to industry development shall be transferred to and merged*  
 12 *with relevant programs and activities under the heading*  
 13 *“International Trade Administration, Operations and Ad-*  
 14 *ministration”.*

15 *ECONOMIC DEVELOPMENT ADMINISTRATION*

16 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

17 *For grants for economic development assistance as pro-*  
 18 *vided by the Public Works and Economic Development Act*  
 19 *of 1965, as amended, and for trade adjustment assistance,*  
 20 *\$257,886,000, to remain available until expended.*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of administering the economic*  
 23 *development assistance programs as provided for by law,*  
 24 *\$30,765,000: Provided, That these funds may be used to*  
 25 *monitor projects approved pursuant to title I of the Public*  
 26 *Works Employment Act of 1976, as amended, title II of the*

1 *Trade Act of 1974, as amended, and the Community Emer-*  
2 *gency Drought Relief Act of 1977.*

3 *MINORITY BUSINESS DEVELOPMENT AGENCY*

4 *MINORITY BUSINESS DEVELOPMENT*

5 *For necessary expenses of the Department of Commerce*  
6 *in fostering, promoting, and developing minority business*  
7 *enterprise, including expenses of grants, contracts, and*  
8 *other agreements with public or private organizations,*  
9 *\$28,906,000.*

10 *ECONOMIC AND INFORMATION INFRASTRUCTURE*

11 *ECONOMIC AND STATISTICAL ANALYSIS*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses, as authorized by law, of eco-*  
14 *nomie and statistical analysis programs of the Department*  
15 *of Commerce, \$72,158,000, to remain available until Sep-*  
16 *tember 30, 2004.*

17 *BUREAU OF THE CENSUS*

18 *SALARIES AND EXPENSES*

19 *For expenses necessary for collecting, compiling, ana-*  
20 *lyzing, preparing, and publishing statistics, provided for by*  
21 *law, \$173,223,000.*

22 *PERIODIC CENSUSES AND PROGRAMS*

23 *For necessary expenses to collect and publish statistics*  
24 *for periodic censuses and programs provided for by law,*  
25 *\$385,696,000, to remain available until expended.*

1     *NATIONAL TELECOMMUNICATIONS AND INFORMATION*  
2                                     *ADMINISTRATION*  
3                                     *SALARIES AND EXPENSES*

4         *For necessary expenses, as provided for by law, of the*  
5 *National Telecommunications and Information Adminis-*  
6 *tration (NTIA), \$14,352,000, to remain available until ex-*  
7 *pended: Provided, That, notwithstanding 31 U.S.C.*  
8 *1535(d), the Secretary of Commerce shall charge Federal*  
9 *agencies for costs incurred in spectrum management, anal-*  
10 *ysis, and operations, and related services and such fees shall*  
11 *be retained and used as offsetting collections for costs of such*  
12 *spectrum services, to remain available until expended: Pro-*  
13 *vided further, That hereafter, notwithstanding any other*  
14 *provision of law, NTIA shall not authorize spectrum use*  
15 *or provide any spectrum functions pursuant to the National*  
16 *Telecommunications and Information Administration Or-*  
17 *ganization Act, 47 U.S.C. 902–903, to any Federal entity*  
18 *without reimbursement as required by NTIA for such spec-*  
19 *trum management costs, and Federal entities withholding*  
20 *payment of such cost shall not use spectrum: Provided fur-*  
21 *ther, That the Secretary of Commerce is authorized to re-*  
22 *tain and use as offsetting collections all funds transferred,*  
23 *or previously transferred, from other Government agencies*  
24 *for all costs incurred in telecommunications research, engi-*  
25 *neering, and related activities by the Institute for Tele-*

1 *communication Sciences of NTIA, in furtherance of its as-*  
2 *signed functions under this paragraph, and such funds re-*  
3 *ceived from other Government agencies shall remain avail-*  
4 *able until expended.*

5 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*  
6 *CONSTRUCTION*

7 *For grants authorized by section 392 of the Commu-*  
8 *nications Act of 1934, as amended, \$43,616,000, to remain*  
9 *available until expended as authorized by section 391 of the*  
10 *Act, as amended: Provided, That not to exceed \$2,478,000*  
11 *shall be available for program administration as authorized*  
12 *by section 391 of the Act: Provided further, That, notwith-*  
13 *standing the provisions of section 391 of the Act, the prior*  
14 *year unobligated balances may be made available for grants*  
15 *for projects for which applications have been submitted and*  
16 *approved during any fiscal year.*

17 *INFORMATION INFRASTRUCTURE GRANTS*

18 *For grants authorized by section 392 of the Commu-*  
19 *nications Act of 1934, as amended, \$15,560,000, to remain*  
20 *available until expended as authorized by section 391 of the*  
21 *Act, as amended: Provided, That not to exceed \$3,097,000*  
22 *shall be available for program administration and other*  
23 *support activities as authorized by section 391: Provided*  
24 *further, That, of the funds appropriated herein, not to ex-*  
25 *ceed 5 percent may be available for telecommunications re-*  
26 *search activities for projects related directly to the develop-*



1 *ment of a national information infrastructure: Provided*  
2 *further, That, notwithstanding the requirements of sections*  
3 *392(a) and 392(c) of the Act, these funds may be used for*  
4 *the planning and construction of telecommunications net-*  
5 *works for the provision of educational, cultural, health care,*  
6 *public information, public safety, or other social services:*  
7 *Provided further, That, notwithstanding any other provi-*  
8 *sion of law, no entity that receives telecommunications serv-*  
9 *ices at preferential rates under section 254(h) of the Act*  
10 *(47 U.S.C. 254(h)) or receives assistance under the regional*  
11 *information sharing systems grant program of the Depart-*  
12 *ment of Justice under part M of title I of the Omnibus*  
13 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*  
14 *3796h) may use funds under a grant under this heading*  
15 *to cover any costs of the entity that would otherwise be cov-*  
16 *ered by such preferential rates or such assistance, as the*  
17 *case may be.*

18 *UNITED STATES PATENT AND TRADEMARK OFFICE*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the United States Patent and*  
21 *Trademark Office provided for by law, including defense*  
22 *of suits instituted against the Under Secretary of Commerce*  
23 *for Intellectual Property and Director of the United States*  
24 *Patent and Trademark Office, \$1,038,800,000, to remain*  
25 *available until expended, which amount shall be derived*

1 *from offsetting collections assessed and collected pursuant*  
2 *to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall*  
3 *be retained and used for necessary expenses in this appro-*  
4 *priation: Provided, That the sum herein appropriated from*  
5 *the general fund shall be reduced as such offsetting collec-*  
6 *tions are received during fiscal year 2003, so as to result*  
7 *in a fiscal year 2003 appropriation from the general fund*  
8 *estimated at \$0: Provided further, That during fiscal year*  
9 *2003, should the total amount of offsetting fee collections*  
10 *be less than \$1,038,800,000, the total amounts available to*  
11 *the United States Patent and Trademark Office shall be re-*  
12 *duced accordingly: Provided further, That an additional*  
13 *amount not to exceed \$166,771,000 from fees collected in*  
14 *prior fiscal years shall be available for obligation in fiscal*  
15 *year 2003, to remain available until expended: Provided*  
16 *further, That from amounts provided herein, not to exceed*  
17 *\$1,000 shall be made available in fiscal year 2003 for offi-*  
18 *cial reception and representation expenses.*

19 *SCIENCE AND TECHNOLOGY*

20 *TECHNOLOGY ADMINISTRATION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses for the Under Secretary for*  
23 *Technology/Office of Technology Policy, \$7,886,000.*

1    *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*  
2    *SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES*

3        *For necessary expenses of the National Institute of*  
4 *Standards and Technology, \$363,433,000, to remain avail-*  
5 *able until expended, of which not to exceed \$282,000 may*  
6 *be transferred to the “Working Capital Fund”.*

7                    *INDUSTRIAL TECHNOLOGY SERVICES*

8        *For necessary expenses of the Manufacturing Exten-*  
9 *sion Partnership of the National Institute of Standards and*  
10 *Technology, \$106,623,000, to remain available until ex-*  
11 *pended: Provided, That hereafter the Secretary of Commerce*  
12 *is authorized to enter into agreements with one or more*  
13 *nonprofit organizations for the purpose of carrying out col-*  
14 *lective research and development initiatives pertaining to*  
15 *15 U.S.C. 278k paragraph (a), and is authorized to seek*  
16 *and accept contributions from public and private sources*  
17 *to support these efforts as necessary.*

18        *In addition, for necessary expenses of the Advanced*  
19 *Technology Program of the National Institute of Standards*  
20 *and Technology, \$185,353,000, to remain available until*  
21 *expended, of which \$60,700,000 shall be expended for the*  
22 *award of new grants before October 1, 2003.*

23                    *CONSTRUCTION OF RESEARCH FACILITIES*

24        *For construction of new research facilities, including*  
25 *architectural and engineering design, and for renovation of*  
26 *existing facilities, not otherwise provided for the National*

1 *Institute of Standards and Technology, as authorized by 15*  
2 *U.S.C. 278c–278e, \$65,460,000, to remain available until*  
3 *expended.*

4 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*  
5 *OPERATIONS, RESEARCH, AND FACILITIES*  
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of activities authorized by law*  
8 *for the National Oceanic and Atmospheric Administration,*  
9 *including maintenance, operation, and hire of aircraft;*  
10 *grants, contracts, or other payments to nonprofit organiza-*  
11 *tions for the purposes of conducting activities pursuant to*  
12 *cooperative agreements; and relocation of facilities as au-*  
13 *thorized, \$2,349,301,000: Provided, That fees and donations*  
14 *received by the National Ocean Service for the management*  
15 *of the national marine sanctuaries may be retained and*  
16 *used for the salaries and expenses associated with those ac-*  
17 *tivities, notwithstanding 31 U.S.C. 3302: Provided further,*  
18 *That the Secretary of Commerce will designate a National*  
19 *Marine Fisheries Service Regional Office for the Pacific*  
20 *Area within sixty days of enactment of this Act: Provided*  
21 *further, That the Regional Administrator of the regional of-*  
22 *fice for the Pacific Area, who shall be hired within sixty*  
23 *days of enactment of this Act, shall be a current employee*  
24 *of the Pacific Island Area Office and shall be an employee*  
25 *at the grade of GS–14 promotable to the grade of GS–15:*  
26 *Provided further, That of the funding provided for the Na-*

1 *tional Marine Fisheries Service, \$3,000,000 may be made*  
2 *available to the oyster industry in the State of Louisiana*  
3 *for economic assistance to the oyster fishery affected by*  
4 *Hurricane Isidore, and Hurricane Lili: Provided further,*  
5 *That such funds may be used only for (A) personal assist-*  
6 *ance with priority given to food, energy needs, housing as-*  
7 *sistance, transportation fuel, and other urgent needs; (B)*  
8 *assistance for small businesses including oystermen, oyster*  
9 *processors, and related businesses serving the oyster indus-*  
10 *try; (C) domestic product marketing and seafood pro-*  
11 *motion; and (D) State seafood testing programs: Provided*  
12 *further, That, in addition, \$55,000,000 shall be derived by*  
13 *transfer from the fund entitled "Promote and Develop Fish-*  
14 *ery Products and Research Pertaining to American Fish-*  
15 *eries": Provided further, That in addition to the amounts*  
16 *provided, \$3,000,000 shall be derived by transfer from the*  
17 *fund entitled, "Coastal Zone Management": Provided fur-*  
18 *ther, That grants to States pursuant to sections 306 and*  
19 *306A of the Coastal Zone Management Act of 1972, as*  
20 *amended, shall not exceed \$2,000,000, unless funds provided*  
21 *for "Coastal Zone Management Grants" exceed funds pro-*  
22 *vided in the previous fiscal year: Provided further, That*  
23 *if funds provided for "Coastal Zone Management Grants"*  
24 *exceed funds provided in the previous fiscal year, then no*  
25 *State shall receive more than five percent or less than one*

1 percent of the additional funds: Provided further, That no  
2 general administrative charge shall be applied against an  
3 assigned activity included in this Act and, further, that any  
4 direct administrative expenses applied against an assigned  
5 activity shall be limited to 5 percent of the funds provided  
6 for that assigned activity: Provided further, That any use  
7 of deobligated balances of funds provided under this heading  
8 in previous years shall be subject to the procedures set forth  
9 in section 605 of this Act.

10       There shall be established the Business Management  
11 Fund of the National Oceanic and Atmospheric Adminis-  
12 tration, which shall be available without fiscal year limita-  
13 tion for expense and equipment necessary for the mainte-  
14 nance and operations of such services and projects as the  
15 Administrator of the National Oceanic and Atmospheric  
16 Administration determines may be performed more advan-  
17 tageously when centralized: Provided, That a separate  
18 schedule of expenditures and reimbursements, and a state-  
19 ment of the current assets and liabilities of the Business  
20 Management Fund as of the close of the completed fiscal  
21 year, shall be prepared each year: Provided further, That  
22 notwithstanding 31 U.S.C. 3302(b), the Business Manage-  
23 ment Fund may be credited with advances and reimburse-  
24 ments from applicable appropriations of the National Oce-  
25 anic and Atmospheric Administration and from funds of

1 *other agencies or entities for services furnished pursuant to*  
2 *law: Provided further, That any inventories, equipment,*  
3 *systems, real property and other assets over \$25,000, per-*  
4 *taining to the services to be provided by such funds, either*  
5 *on hand or on order, less the related liabilities or unpaid*  
6 *obligations, shall be used to capitalize the Business Manage-*  
7 *ment Fund: Provided further, That the National Oceanic*  
8 *and Atmospheric Administration shall provide for central-*  
9 *ized services at rates which return in full all expenses of*  
10 *operation and services, including the full cost of salaries*  
11 *and accruing benefits and the annual costs of plant and*  
12 *equipment associated with services to be provided, plus an*  
13 *amount equal to projected inflation, amortization of auto-*  
14 *mated data processing software and hardware systems, and*  
15 *an amount not to exceed four percent of the full costs nec-*  
16 *essary to maintain a reasonable operating reserve and fund*  
17 *new requirements as determined by the Administrator: Pro-*  
18 *vided further, That the Business Management Fund shall*  
19 *become operational no later than thirty days after enact-*  
20 *ment of this Act.*

21 *In addition, for necessary retired pay expenses under*  
22 *the Retired Serviceman's Family Protection and Survivor*  
23 *Benefits Plan, and for payments for medical care of retired*  
24 *personnel and their dependents under the Dependents Med-*

1 ical Care Act (10 U.S.C. ch. 55), such sums as may be nec-  
2 essary.

3           *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

4                   *(INCLUDING TRANSFERS OF FUNDS)*

5           *For procurement, acquisition and construction of cap-*  
6 *ital assets, including alteration and modification costs, of*  
7 *the National Oceanic and Atmospheric Administration,*  
8 *\$903,410,000, to remain available until September 30,*  
9 *2005: Provided, That unexpended balances of amounts pre-*  
10 *viously made available in the "Operations, Research, and*  
11 *Facilities" account for activities funded under this heading*  
12 *may be transferred to and merged with this account, to re-*  
13 *main available until expended for the purposes for which*  
14 *the funds were originally appropriated: Provided further,*  
15 *That of the amounts provided for the National Polar-orbit-*  
16 *ing Operational Environmental Satellite System, funds*  
17 *shall only be made available on a dollar for dollar matching*  
18 *basis with funds provided for the same purpose by the De-*  
19 *partment of Defense: Provided further, That the Secretary*  
20 *shall establish a Coastal and Estuarine Land Conservation*  
21 *Program, for the purpose of protecting important coastal*  
22 *and estuarine areas that have significant conservation,*  
23 *recreation, ecological, historical, or aesthetic values, or that*  
24 *are threatened by conversion from their natural or rec-*  
25 *reational state to other uses: Provided further, That none*  
26 *of the funds provided in this Act or any other Act under*



1 *the heading “National Oceanic and Atmospheric Adminis-*  
2 *tration, Procurement, Acquisition and Construction” shall*  
3 *be used to fund the General Services Administration’s*  
4 *standard construction and tenant build-out costs of a facil-*  
5 *ity at the Suitland Federal Center.*

6 *PACIFIC COASTAL SALMON RECOVERY*

7 *For necessary expenses associated with the restoration*  
8 *of Pacific salmon populations and the implementation of*  
9 *the 1999 Pacific Salmon Treaty Agreement between the*  
10 *United States and Canada, \$78,650,000, to remain avail-*  
11 *able until September 30, 2004.*

12 *In addition, for implementation of the 1999 Pacific*  
13 *Salmon Treaty Agreement, \$20,000,000, of which*  
14 *\$10,000,000 shall be deposited in the Northern Boundary*  
15 *and Transboundary Rivers Restoration and Enhancement*  
16 *Fund, of which \$10,000,000 shall be deposited in the South-*  
17 *ern Boundary Restoration and Enhancement Fund.*

18 *FISHERMEN’S CONTINGENCY FUND*

19 *For carrying out the provisions of title IV of Public*  
20 *Law 95–372, not to exceed \$954,000, to be derived from re-*  
21 *ceipts collected pursuant to that Act, to remain available*  
22 *until expended.*

23 *FOREIGN FISHING OBSERVER FUND*

24 *For expenses necessary to carry out the provisions of*  
25 *the Atlantic Tunas Convention Act of 1975, as amended*  
26 *(Public Law 96–339), the Magnuson-Stevens Fishery Con-*

1 *ervation and Management Act of 1976, as amended (Public*  
2 *Law 100–627), and the American Fisheries Promotion Act*  
3 *(Public Law 96–561), to be derived from the fees imposed*  
4 *under the foreign fishery observer program authorized by*  
5 *these Acts, not to exceed \$191,000, to remain available until*  
6 *expended.*

7 *FISHERIES FINANCE PROGRAM ACCOUNT*

8 *For the cost of direct loans, \$287,000, as authorized*  
9 *by the Merchant Marine Act of 1936, as amended: Provided,*  
10 *That such costs, including the cost of modifying such loans,*  
11 *shall be as defined in section 502 of the Congressional Budg-*  
12 *et Act of 1974: Provided further, That these funds are avail-*  
13 *able to subsidize gross obligations for the principal amount*  
14 *of direct loans not to exceed \$5,000,000 for Individual Fish-*  
15 *ing Quota loans, and not to exceed \$19,000,000 for Tradi-*  
16 *tional direct loans: Provided further, That none of the funds*  
17 *made available under this heading may be used for direct*  
18 *loans for any new fishing vessel that will increase the har-*  
19 *vesting capacity in any United States fishery.*

20 *DEPARTMENTAL MANAGEMENT*

21 *SALARIES AND EXPENSES*

22 *For expenses necessary for the departmental manage-*  
23 *ment of the Department of Commerce provided for by law,*  
24 *including not to exceed \$5,000 for official entertainment,*  
25 *\$41,494,000.*



1 *the United States Air Force or the United States Air Force*  
2 *Reserve.*

3       *SEC. 204. Not to exceed 5 percent of any appropriation*  
4 *made available for the current fiscal year for the Depart-*  
5 *ment of Commerce in this Act may be transferred between*  
6 *such appropriations, but no such appropriation shall be in-*  
7 *creased by more than 10 percent by any such transfers: Pro-*  
8 *vided, That any transfer pursuant to this section shall be*  
9 *treated as a reprogramming of funds under section 605 of*  
10 *this Act and shall not be available for obligation or expendi-*  
11 *ture except in compliance with the procedures set forth in*  
12 *that section.*

13       *SEC. 205. Hereafter the Secretary of Commerce may*  
14 *award contracts for hydrographic, geodetic, and photo-*  
15 *grammetric surveying and mapping services in accordance*  
16 *with title IX of the Federal Property and Administrative*  
17 *Services Act of 1949.*

18       *SEC. 206. The Secretary of Commerce may use the*  
19 *Commerce franchise fund for expenses and equipment nec-*  
20 *essary for the maintenance and operation of such adminis-*  
21 *trative services as the Secretary determines may be per-*  
22 *formed more advantageously as central services, pursuant*  
23 *to section 403 of Public Law 103-356: Provided, That any*  
24 *inventories, equipment, and other assets pertaining to the*  
25 *services to be provided by such fund, either on hand or on*

1 *order, less the related liabilities or unpaid obligations, and*  
2 *any appropriations made for the purpose of providing cap-*  
3 *ital shall be used to capitalize such fund: Provided further,*  
4 *That such fund shall be paid in advance from funds avail-*  
5 *able to the Department and other Federal agencies for which*  
6 *such centralized services are performed, at rates which will*  
7 *return in full all expenses of operation, including accrued*  
8 *leave, depreciation of fund plant and equipment, amortiza-*  
9 *tion of automated data processing (ADP) software and sys-*  
10 *tems (either acquired or donated), and an amount necessary*  
11 *to maintain a reasonable operating reserve, as determined*  
12 *by the Secretary: Provided further, That such fund shall*  
13 *provide services on a competitive basis: Provided further,*  
14 *That an amount not to exceed 4 percent of the total annual*  
15 *income to such fund may be retained in the fund for fiscal*  
16 *year 2003 and each fiscal year thereafter, to remain avail-*  
17 *able until expended, to be used for the acquisition of capital*  
18 *equipment, and for the improvement and implementation*  
19 *of department financial management, ADP, and other sup-*  
20 *port systems: Provided further, That such amounts retained*  
21 *in the fund for fiscal year 2003 and each fiscal year there-*  
22 *after shall be available for obligation and expenditure only*  
23 *in accordance with section 605 of this Act: Provided further,*  
24 *That no later than 30 days after the end of each fiscal year,*  
25 *amounts in excess of this reserve limitation shall be depos-*

1 *ited as miscellaneous receipts in the Treasury: Provided*  
2 *further, That such franchise fund pilot program shall termi-*  
3 *nate pursuant to section 403(f) of Public Law 103–356.*

4       *SEC. 207. Notwithstanding any other provision of law,*  
5 *of the amounts made available elsewhere in this title to the*  
6 *“National Institute of Standards and Technology, Con-*  
7 *struction of Research Facilities”, \$14,000,000 is appro-*  
8 *priated to fund a cooperative agreement with the Medical*  
9 *University of South Carolina, \$6,000,000 is appropriated*  
10 *to the Thayer School of Engineering for the nanocrystalline*  
11 *materials and biomass research initiative, \$3,000,000 is ap-*  
12 *propriated to the Institute for Information Infrastructure*  
13 *Protection at the Institute for Security Technology Studies,*  
14 *\$4,000,000 is appropriated for the Institute for Politics,*  
15 *and \$1,260,000 is appropriated to the Franklin Pierce Col-*  
16 *lege.*

17       *SEC. 208. Of the amounts available from the fund enti-*  
18 *tled “Promote and Develop Fishery Products and Research*  
19 *Pertaining to American Fisheries”, Saltonstall-Kennedy*  
20 *grants may be issued only in the priority funding areas*  
21 *of Fishing Capacity Reduction under the Magnuson-Stevens*  
22 *Act Sections 312(b)–(e), Conservation Engineering, Opti-*  
23 *mum Utilization of Harvested Resources under Federal or*  
24 *State Management, Marine Aquaculture, and Fisheries*  
25 *Socioeconomics: Provided, That no funds shall be provided*

1 *under the Saltonstall-Kennedy Grant Program for any*  
2 *grant related to Atlantic salmon aquaculture development*  
3 *considering the endangered species status of Atlantic salm-*  
4 *on.*

5       *SEC. 209. Of the amount available from the fund enti-*  
6 *tled "Promote and Develop Fishery Products and Research*  
7 *Pertaining to American Fisheries", \$20,000,000 shall be*  
8 *provided to develop an Alaska seafood marketing program.*  
9 *Such amount shall be made available as a direct lump sum*  
10 *payment to the Alaska Fisheries Marketing Board (herein-*  
11 *after "Board") which is hereby established to award grants*  
12 *to market, develop, and promote Alaska seafood and im-*  
13 *prove related technology and transportation with emphasis*  
14 *on wild salmon, of which 20 percent shall be transferred*  
15 *to the Alaska Seafood Marketing Institute. The Board shall*  
16 *be appointed by the Secretary of Commerce and shall be*  
17 *administered by an Executive Director to be appointed by*  
18 *the Secretary. The Board shall submit an annual report*  
19 *to the Secretary detailing the expenditures of the board.*

20       *SEC. 210. (a) The Secretary of Commerce is authorized*  
21 *to award grants and make direct lump sum payments in*  
22 *support of an international advertising and promotional*  
23 *campaign developed in consultation with the private sector*  
24 *to encourage individuals to travel to the United States con-*

1 *sisting of radio, television, and print advertising and mar-*  
2 *keting programs.*

3 *(b) The United States Travel and Tourism Promotion*  
4 *Advisory Board (hereinafter “Board”) is established to rec-*  
5 *ommend the appropriate coordinated activities to the Sec-*  
6 *retary for funding.*

7 *(c) The Secretary shall appoint the Board within 30*  
8 *days of enactment and shall include tourism-related entities*  
9 *he deems appropriate.*

10 *(d) The Secretary shall consult with the Board and*  
11 *state and regional tourism officials on the disbursement of*  
12 *funds.*

13 *(e) There is authorized to be appropriated \$50,000,000,*  
14 *to remain available until expended, and \$50,000,000 is ap-*  
15 *propriated to implement this section.*

16 *SEC. 211. From funds made available from the “Oper-*  
17 *ations and Training” account, not more than \$50,000 shall*  
18 *be made available to the Maritime Administration for ad-*  
19 *ministrative expenses to oversee the implementation of this*  
20 *section for the purpose of recovering economic and national*  
21 *security benefits to the United States following the default*  
22 *under the construction contract described in section 8109*  
23 *of the Department of Defense Appropriations Act for Fiscal*  
24 *Year 1998 (Public Law 105–56): Provided, That the owner*  
25 *of any ship documented under the authority of this section*



1 shall offset such appropriation through the payment of fees  
2 to the Maritime Administration not to exceed the appro-  
3 priation and that such fees be deposited as an offsetting  
4 collection to this appropriation: Provided further, That not-  
5 withstanding any other provision of law, one or both ships  
6 originally contracted under section 8109 of Public Law  
7 105–56 may be constructed to completion in a shipyard lo-  
8 cated outside of the United States and the owner thereof  
9 (or a related person with respect to that owner) may docu-  
10 ment one or both ships under U.S. flag with a coastwise  
11 endorsement, and notwithstanding any other provision of  
12 law, and not later than two years after entry into service  
13 of the first ship contracted for under section 8109 of Public  
14 Law 105–56, that owner (or a related person with respect  
15 to that owner) may re-document under U.S. flag with a  
16 coastwise endorsement one additional foreign-built cruise  
17 ship: Provided further, That: (1) the owner of any cruise  
18 ship documented under the authority of this section is a  
19 citizen of the United States within the meaning of 46  
20 U.S.C. 12102(a), (2) the foreign-built cruise ship re-docu-  
21 mented under the authority of this section meets the eligi-  
22 bility requirements for a certificate of inspection under sec-  
23 tion 1137(a) of Public Law 104–324 and applicable inter-  
24 national agreements and guidelines referred to in section  
25 1137(a)(2) thereof and the 1992 Amendments to the Safety

1 *of Life at Sea Convention of 1974, and that with respect*  
2 *to the re-documented foreign-built cruise ship, any repair,*  
3 *maintenance, alteration, or other preparation necessary to*  
4 *meet such requirements be performed in a United States*  
5 *shipyard, (3) any non-warranty repair, maintenance, or*  
6 *alteration work performed on any ship documented under*  
7 *the authority of this section shall be performed in a United*  
8 *States shipyard unless the Administrator of the Maritime*  
9 *Administration finds that such services are not available*  
10 *in the United States or if an emergency dictates that the*  
11 *ship proceed to a foreign port for such work, (4) any ship*  
12 *documented under the authority of this section shall operate*  
13 *in regular service between or among the islands of Hawaii,*  
14 *(5) no person, nor any ship operating between or among*  
15 *the islands of Hawaii, shall be entitled to the preference*  
16 *contained in the second proviso of section 8109 of Public*  
17 *Law 105–56, and (6) no cruise ship operating in coastwise*  
18 *trade under the authority of this section or constructed*  
19 *under the authority of this section shall be eligible for a*  
20 *guarantee of financing under title XI of the Merchant Ma-*  
21 *rine Act 1936: Provided further, That any cruise ship to*  
22 *be documented under the authority of this section shall be*  
23 *immediately eligible before documentation of the vessel for*  
24 *the approval contained in section 1136(b) of Public Law*  
25 *104–324: Provided further, That for purposes of this section*

1 *the term “cruise ship” means a vessel that is at least 60,000*  
2 *gross tons and not more than 120,000 gross tons (as meas-*  
3 *ured under chapter 143 of title 46, United States Code) and*  
4 *has berth or stateroom accommodations for at least 1,600*  
5 *passengers, the term “one or both ships” means collectively*  
6 *the partially completed hull and related components, equip-*  
7 *ment, and parts of whatever kind acquired pursuant to the*  
8 *construction contract described in section 8109 of Public*  
9 *Law 105–56 and intended to be incorporated into the ships*  
10 *constructed thereto, the term “related person” means with*  
11 *respect to a person: a holding company, subsidiary, or affil-*  
12 *iate of such person meeting the citizenship requirements of*  
13 *section 12102(a) of title 46, United States Code, and the*  
14 *term “regular service” means the primary service in which*  
15 *the ship is engaged on an annual basis.*

16       *SEC. 212. WEST COAST GROUND FISH FISHERY CA-*  
17 *PACITY REDUCTION. (a) The Secretary of Commerce shall*  
18 *implement a fishing capacity reduction program for the*  
19 *West Coast groundfish fishery pursuant to section 212 of*  
20 *Public Law 107–206 and 16 U.S.C. 1861a (b)–(e); except*  
21 *that the program may apply to multiple fisheries; except*  
22 *that within 90 days after the date of enactment of this Act,*  
23 *the Secretary shall publish a public notice in the Federal*  
24 *Register and issue an invitation to bid for reduction pay-*  
25 *ments that specifies the contractual terms and conditions*

1 *under which bids shall be made and accepted under this*  
2 *section; except that section 144(d)(1)(K)(3) of title I, divi-*  
3 *sion B of Public Law 106–554 shall apply to the program*  
4 *implemented by this section.*

5       *(b) A reduction fishery is eligible for capacity reduc-*  
6 *tion under the program implemented under this section; ex-*  
7 *cept that no vessel harvesting and processing whiting in the*  
8 *catcher-processors sector (section 19 660.323(a)(4)(A) of*  
9 *title 50, Code of Federal Regulations) may participate in*  
10 *any capacity reduction referendum or industry fee estab-*  
11 *lished under this section.*

12       *(c) A referendum on the industry fee system shall occur*  
13 *after bids have been submitted, and such bids have been ac-*  
14 *cepted by the Secretary, as follows: members of the reduction*  
15 *fishery, and persons who have been issued Washington, Or-*  
16 *egon, or California Dungeness crab and Pink shrimp per-*  
17 *mits, shall be eligible to vote in the referendum to approve*  
18 *an industry fee system; referendum votes cast in each fish-*  
19 *ery shall be weighted in proportion to the debt obligation*  
20 *of each fishery, as calculated in subsection (f) of this section;*  
21 *the industry fee system shall be approved if the referendum*  
22 *votes cast in favor of the proposed system constitute a sim-*  
23 *ple majority of the participants voting; except that notwith-*  
24 *standing 5 U.S.C. 553 and 16 U.S.C. 1861a(e), the Sec-*  
25 *retary shall not prepare or publish proposed or final regula-*

1 tions for the implementation of the program under this sec-  
2 tion before the referendum is conducted.

3 (d) Nothing in this section shall be construed to pro-  
4 hibit the Pacific Fishery Management Council from recom-  
5 mending, or the Secretary from approving, changes to any  
6 fishery management plan, in accordance with applicable  
7 law; or the Secretary from promulgating regulations (in-  
8 cluding regulations governing this program), after an in-  
9 dustry fee system has been approved by the reduction fish-  
10 ery.

11 (e) The Secretary shall determine, and state in the  
12 public notice published under paragraph (a), all program  
13 implementation aspects the Secretary deems relevant.

14 (f) Any bid submitted in response to the invitation to  
15 bid issued by the Secretary under this section shall be irrev-  
16 ocable; the Secretary shall use a bid acceptance procedure  
17 that ranks each bid in accordance with this paragraph and  
18 with additional criteria, if any, established by the Sec-  
19 retary: for each bid from a qualified bidder that meets the  
20 bidding requirements in the public notice or the invitation  
21 to bid, the Secretary shall determine a bid score by dividing  
22 the bid's dollar amount by the average annual total ex-vessel  
23 dollar value of landings of Pacific groundfish, Dungeness  
24 crab, and Pink shrimp based on the 3 highest total annual  
25 revenues earned from such stocks that the bidder's reduction

1 vessel landed during 1998, 1999, 2000, or 2001. For pur-  
2 poses of this paragraph, the term “total annual revenue”  
3 means the revenue earned in a single year from such stocks.  
4 The Secretary shall accept each qualified bid in rank order  
5 of bid score from the lowest to the highest until acceptance  
6 of the next qualified bid with the next lowest bid score would  
7 cause the reduction cost to exceed the reduction loan’s max-  
8 imum amount. Acceptance of a bid by the Secretary shall  
9 create a binding reduction contract between the United  
10 States and the person whose bid is accepted, the perform-  
11 ance of which shall be subject only to the conclusion of a  
12 successful referendum, except that a person whose bid is ac-  
13 cepted by the Secretary under this section shall relinquish  
14 all permits in the reduction fishery and any Dungeness  
15 crab and Pink shrimp permits issued by Washington, Or-  
16 egon, or California; except that the Secretary shall revoke  
17 the Pacific groundfish permit, as well as all Federal fishery  
18 licenses, fishery permits, area, and species endorsements,  
19 and any other fishery privileges issued to a vessel or vessels  
20 (or to persons on the basis of their operation or ownership  
21 of that vessel or vessels) removed under the program.

22 (g) The Secretary shall establish separate reduction  
23 loan sub-amounts and repayment fees for fish sellers in the  
24 reduction fishery and for fish sellers in each of the fee-share  
25 fisheries by dividing the total ex-vessel dollar value during

1 *the bid scoring period of all reduction vessel landings from*  
2 *the reduction fishery and from each of the fee-share fisheries*  
3 *by the total such value of all such landings for all such fish-*  
4 *eries; and multiplying the reduction loan amount by each*  
5 *of the quotients resulting from each of the divisions above.*  
6 *Each of the resulting products shall be the reduction loan*  
7 *sub-amount for the reduction fishery and for each of the*  
8 *fee-share fisheries to which each of such products pertains;*  
9 *except that, each fish seller in the reduction fishery and in*  
10 *each of the fee-share fisheries shall pay the fees required by*  
11 *the reduction loan sub-amounts allocated to it under this*  
12 *paragraph; except that, the Secretary may enter into agree-*  
13 *ments with Washington, Oregon, and California to collect*  
14 *any fees established under this paragraph.*

15 *(h) Notwithstanding 46 U.S.C. App. 1279(b)(4), the*  
16 *reduction loan's term shall not be less than 30 years.*

17 *(i) It is the sense of the Congress that the States of*  
18 *Washington, Oregon, and California should revoke all relin-*  
19 *quishment permits in each of the fee-share fisheries imme-*  
20 *diately after reduction payment, and otherwise to imple-*  
21 *ment appropriate State fisheries management and con-*  
22 *servation provisions in each of the fee-share fisheries that*  
23 *establishes a program that meets the requirements of 16*  
24 *U.S.C. 141861a(b)(1)(B) as if it were applicable to fee-*  
25 *share fisheries.*

1       (j) *The term “fee-share fishery” means a fishery, other*  
 2 *than the reduction fishery, whose members are eligible to*  
 3 *vote in a referendum for an industry fee system under para-*  
 4 *graph (c). The term “reduction fishery” means that portion*  
 5 *of a fishery holding limited entry fishing permits endorsed*  
 6 *for the operation of trawl gear and issued under the Federal*  
 7 *Pacific Coast Groundfish Fishery Management Plan.*

8       *This title may be cited as the “Department of Com-*  
 9 *merce and Related Agencies Appropriations Act, 2003”.*

10                                   *TITLE III—THE JUDICIARY*

11                                   *SUPREME COURT OF THE UNITED STATES*

12                                   *SALARIES AND EXPENSES*

13       *For expenses necessary for the operation of the Su-*  
 14 *preme Court, excluding care of the building and grounds;*  
 15 *not to exceed \$10,000 for official reception and representa-*  
 16 *tion expenses; and for miscellaneous expenses, \$44,399,000.*

17                                   *CARE OF THE BUILDING AND GROUNDS*

18       *For expenses necessary for the care of building and*  
 19 *grounds, \$53,304,000, to remain available until expended.*

20                                   *UNITED STATES COURT OF APPEALS FOR THE FEDERAL*

21                                   *CIRCUIT*

22                                   *SALARIES AND EXPENSES*

23       *For salaries of the chief judge, judges, and other officers*  
 24 *and employees, and for necessary expenses of the court,*  
 25 *\$20,136,000.*



1 *UNITED STATES COURT OF INTERNATIONAL TRADE*2 *SALARIES AND EXPENSES*

3 *For salaries of the chief judge and eight judges, salaries*  
4 *of the officers and employees of the court, services, and nec-*  
5 *essary expenses of the court, \$13,529,000.*

6 *COURT OF APPEALS, DISTRICT, MAGISTRATE, AND*7 *BANKRUPTCY COURT JUDGES AND STAFF*8 *SALARIES AND EXPENSES*

9 *For the salaries of circuit and district judges (includ-*  
10 *ing judges of the territorial courts of the United States),*  
11 *justices and judges retired from office or from regular active*  
12 *service, judges of the United States Court of Federal Claims,*  
13 *bankruptcy judges, magistrate judges, and their staff,*  
14 *\$718,736,000.*

15 *COURT SUPPORT*16 *SALARIES AND EXPENSES*

17 *For expenses necessary for the operation of the courts,*  
18 *including travel and hire of passenger motor vehicles,*  
19 *\$1,048,877,000, of which not to exceed \$45,000 is authorized*  
20 *for official reception and representation expenses.*

21 *In addition, for expenses of the United States Court*  
22 *of Federal Claims associated with processing cases under*  
23 *the National Childhood Vaccine Injury Act of 1986, not to*  
24 *exceed \$2,784,000, to be appropriated from the Vaccine In-*  
25 *jury Compensation Trust Fund.*



1 *ment of travel expenses of guardians ad litem acting on*  
2 *behalf of financially eligible minor or incompetent offenders*  
3 *in connection with transfers from the United States to for-*  
4 *ign countries with which the United States has a treaty*  
5 *for the execution of penal sentences; the compensation of at-*  
6 *torneys appointed to represent jurors in civil actions for*  
7 *the protection of their employment, as authorized; and for*  
8 *necessary training and general administrative expenses,*  
9 *\$531,792,000, to remain available until September 30,*  
10 *2004.*

11 *FEES OF JURORS AND COMMISSIONERS*

12 *For fees and expenses of jurors as authorized; com-*  
13 *ensation of jury commissioners as authorized; and com-*  
14 *ensation of commissioners appointed in condemnation*  
15 *cases pursuant to rule 71A(h) of the Federal Rules of Civil*  
16 *Procedure, \$54,636,000, to remain available until Sep-*  
17 *tember 30, 2004: Provided, That the compensation of land*  
18 *commissioners shall not exceed the daily equivalent of the*  
19 *highest rate payable under section 5332 of title 5, United*  
20 *States Code.*

21 *COURT SECURITY*

22 *For necessary expenses, not otherwise provided for, in-*  
23 *cident to providing protective guard services for United*  
24 *States courthouses and the procurement, installation, and*  
25 *maintenance of security equipment for United States court-*

1 *houses and other facilities housing Federal court operations,*  
2 *including building ingress-egress control, inspection of mail*  
3 *and packages, directed security patrols, and other similar*  
4 *activities, \$276,342,000, of which not to exceed \$10,000,000*  
5 *shall remain available until expended for security systems*  
6 *or contract costs for court security officers: Provided, That,*  
7 *of the amounts made available under this heading,*  
8 *\$1,000,000 shall be transferred to, and merged with, funds*  
9 *in the “Salaries and Expenses, United States Marshals*  
10 *Service” appropriations account, to be available only for*  
11 *a courthouse security survey to be conducted by Judicial*  
12 *Security Division/Judicial Security Systems personnel.*

13 *FEDERAL JUDICIAL CENTER*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Federal Judicial Center,*  
16 *\$20,156,000; of which \$1,800,000 shall remain available*  
17 *through September 30, 2004, to provide education and*  
18 *training to Federal court personnel; and of which not to*  
19 *exceed \$1,000 is authorized for official reception and rep-*  
20 *resentation expenses.*

21 *JUDICIAL RETIREMENT FUNDS*

22 *PAYMENT TO JUDICIARY TRUST FUNDS*

23 *For payment to the Judicial Officers’ Retirement*  
24 *Fund, as authorized, \$27,700,000; to the Judicial Sur-*  
25 *vivors’ Annuities Fund, as authorized, \$5,200,000; and to*

1 *the United States Court of Federal Claims Judges' Retirement*  
2 *Fund, as authorized, \$2,400,000.*

3 *UNITED STATES SENTENCING COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For the salaries and expenses necessary to carry out*  
6 *the provisions of chapter 58 of title 28, United States Code,*  
7 *\$11,835,000, of which not to exceed \$1,000 is authorized*  
8 *for official reception and representation expenses.*

9 *GENERAL PROVISIONS—THE JUDICIARY*

10 *SEC. 301. Appropriations and authorizations made in*  
11 *this title which are available for salaries and expenses shall*  
12 *be available for services as authorized by 5 U.S.C. 3109.*

13 *SEC. 302. Not to exceed 5 percent of any appropriation*  
14 *made available for the current fiscal year for the Judiciary*  
15 *in this Act may be transferred between such appropriations,*  
16 *but no such appropriation shall be increased by more than*  
17 *10 percent by any such transfers: Provided, That any trans-*  
18 *fer pursuant to this section shall be treated as a reprogram-*  
19 *ming of funds under section 605 of this Act and shall not*  
20 *be available for obligation or expenditure except in compli-*  
21 *ance with the procedures set forth in that section.*

22 *SEC. 303. Notwithstanding any other provision of law,*  
23 *any salaries and expenses appropriation in this title, except*  
24 *probation and pretrial services, shall be available for offi-*  
25 *cial reception and representation expenses of the Judicial*

1 *Conference of the United States: Provided, That such avail-*  
 2 *able funds shall not exceed \$11,000 and shall be adminis-*  
 3 *tered by the Director of the Administrative Office of the*  
 4 *United States Courts in the capacity as Secretary of the*  
 5 *Judicial Conference.*

6       *SEC. 304. Pursuant to section 140 of Public Law 97-*  
 7 *92, Justices and judges of the United States are authorized*  
 8 *during fiscal year 2003, to receive a salary adjustment in*  
 9 *accordance with 28 U.S.C. 461: Provided, That \$7,972,000*  
 10 *is appropriated for salary adjustments pursuant to this sec-*  
 11 *tion and such funds shall be transferred to and merged with*  
 12 *appropriations in title III of this Act.*

13       *This title may be cited as the “Judiciary Appropria-*  
 14 *tions Act, 2003”.*

15       *TITLE IV—DEPARTMENT OF STATE AND*

16                   *RELATED AGENCY*

17                   *DEPARTMENT OF STATE*

18                   *ADMINISTRATION OF FOREIGN AFFAIRS*

19                   *DIPLOMATIC AND CONSULAR PROGRAMS*

20       *For necessary expenses of the Department of State and*  
 21 *the Foreign Service not otherwise provided for, including*  
 22 *employment, without regard to civil service and classifica-*  
 23 *tion laws, of persons on a temporary basis (not to exceed*  
 24 *\$700,000 of this appropriation), as authorized by section*  
 25 *801 of the United States Information and Educational Ex-*

1 *change Act of 1948, as amended; representation to certain*  
2 *international organizations in which the United States*  
3 *participates pursuant to treaties ratified pursuant to the*  
4 *advice and consent of the Senate or specific Acts of Con-*  
5 *gress; arms control, nonproliferation and disarmament ac-*  
6 *tivities as authorized; acquisition by exchange or purchase*  
7 *of passenger motor vehicles as authorized by law; and for*  
8 *expenses of general administration, \$3,042,096,000: Pro-*  
9 *vided, That, of the amount made available under this head-*  
10 *ing, not to exceed \$4,000,000 may be transferred to, and*  
11 *merged with, funds in the “Emergencies in the Diplomatic*  
12 *and Consular Service” appropriations account, to be avail-*  
13 *able only for emergency evacuations and terrorism rewards:*  
14 *Provided further, That of the amount made available under*  
15 *this heading for Oceans and International Environmental*  
16 *and Scientific Affairs, \$4,000,000 shall be for negotiations*  
17 *of a binding turtle bycatch reduction agreement for the*  
18 *Western and Central Pacific: Provided further, That, of the*  
19 *amount made available under this heading, \$5,000,000*  
20 *shall be made available only for the renovation of the*  
21 *United States Consulate facility in Istanbul for the pur-*  
22 *poses of housing an International Center on Muslim-West-*  
23 *ern Dialogue: Provided further, That, the Secretary of State*  
24 *shall develop a plan for the five-year graduated synchroni-*  
25 *zation of the United States’ and the United Nations’ budget*

1 *cycles: Provided further, That, of the amount made avail-*  
2 *able under this heading, \$1,500,000 shall be available for*  
3 *a grant to conduct an international forum on the rule of*  
4 *law: Provided further, That, of the amount made available*  
5 *under this heading, \$500,000 shall be available for a grant*  
6 *to conduct an international conference on best practices on*  
7 *adoption: Provided further, That of the amount made avail-*  
8 *able under this heading, \$200,000 shall be available to con-*  
9 *duct the Girls' International Forum: Provided further, That*  
10 *of the amount made available under this heading, \$100,000*  
11 *shall be available to conduct the Winter Cities Conference:*  
12 *Provided further, That no funds may be obligated or ex-*  
13 *pended for processing licenses for the export of satellites of*  
14 *United States origin (including commercial satellites and*  
15 *satellite components) to the People's Republic of China un-*  
16 *less, at least 15 days in advance, the Committees on Appro-*  
17 *priations of the House of Representatives and the Senate*  
18 *are notified of such proposed action.*

19 *In addition, not to exceed \$1,343,000 shall be derived*  
20 *from fees collected from other executive agencies for lease*  
21 *or use of facilities located at the International Center in*  
22 *accordance with section 4 of the International Center Act,*  
23 *as amended; in addition, as authorized by section 5 of such*  
24 *Act, \$490,000, to be derived from the reserve authorized by*  
25 *that section, to be used for the purposes set out in that sec-*



1 *tion; in addition, as authorized by section 810 of the United*  
 2 *States Information and Educational Exchange Act, not to*  
 3 *exceed \$6,000,000, to remain available until expended, may*  
 4 *be credited to this appropriation from fees or other pay-*  
 5 *ments received from English teaching, library, motion pic-*  
 6 *tures, and publication programs and from fees from edu-*  
 7 *cational advising and counseling and exchange visitor pro-*  
 8 *grams; and, in addition, not to exceed \$15,000, which shall*  
 9 *be derived from reimbursements, surcharges, and fees for use*  
 10 *of Blair House facilities.*

11 *In addition, for the costs of worldwide security up-*  
 12 *grades, \$579,086,000, to remain available until expended.*

13 *CAPITAL INVESTMENT FUND*

14 *For necessary expenses of the Capital Investment*  
 15 *Fund, \$210,000,000, to remain available until expended, as*  
 16 *authorized: Provided, That section 135(e) of Public Law*  
 17 *103–236 shall not apply to funds available under this head-*  
 18 *ing.*

19 *OFFICE OF INSPECTOR GENERAL*

20 *For necessary expenses of the Office of Inspector Gen-*  
 21 *eral, \$30,844,000, notwithstanding section 209(a)(1) of the*  
 22 *Foreign Service Act of 1980, as amended (Public Law 96–*  
 23 *465), as it relates to post inspections.*

24 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

25 *For expenses of educational and cultural exchange pro-*  
 26 *grams, as authorized, \$237,881,000, to remain available*

1 *until expended: Provided, That not to exceed \$2,000,000,*  
2 *to remain available until expended, may be credited to this*  
3 *appropriation from fees or other payments received from*  
4 *or in connection with English teaching, educational advis-*  
5 *ing and counseling programs, and exchange visitor pro-*  
6 *grams.*

7 *REPRESENTATION ALLOWANCES*

8 *For representation allowances as authorized,*  
9 *\$6,485,000.*

10 *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

11 *For expenses, not otherwise provided, to enable the Sec-*  
12 *retary of State to provide for extraordinary protective serv-*  
13 *ices, as authorized, \$9,400,000, to remain available until*  
14 *September 30, 2004.*

15 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

16 *For necessary expenses for carrying out the Foreign*  
17 *Service Buildings Act of 1926, as amended (22 U.S.C. 292–*  
18 *300), preserving, maintaining, repairing, and planning for*  
19 *buildings that are owned or directly leased by the Depart-*  
20 *ment of State, renovating, in addition to funds otherwise*  
21 *available, the Harry S. Truman Building, and carrying*  
22 *out the Diplomatic Security Construction Program as au-*  
23 *thorized, \$523,000,000, to remain available until expended*  
24 *as authorized, of which not to exceed \$25,000 may be used*  
25 *for domestic and overseas representation as authorized: Pro-*  
26 *vided, That none of the funds appropriated in this para-*

1 *graph shall be available for acquisition of furniture, fur-*  
2 *nishings, or generators for other departments and agencies.*

3 *In addition, for the costs of worldwide security up-*  
4 *grades, acquisition, and construction as authorized,*  
5 *\$732,700,000, to remain available until expended.*

6 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*

7 *SERVICE*

8 *For expenses necessary to enable the Secretary of State*  
9 *to meet unforeseen emergencies arising in the Diplomatic*  
10 *and Consular Service, \$6,500,000, to remain available until*  
11 *expended as authorized, of which not to exceed \$1,000,000*  
12 *may be transferred to and merged with the Repatriation*  
13 *Loans Program Account, subject to the same terms and con-*  
14 *ditions.*

15 *REPATRIATION LOANS PROGRAM ACCOUNT*

16 *For the cost of direct loans, \$612,000, as authorized:*  
17 *Provided, That such costs, including the cost of modifying*  
18 *such loans, shall be as defined in section 502 of the Congres-*  
19 *sional Budget Act of 1974. In addition, for administrative*  
20 *expenses necessary to carry out the direct loan program,*  
21 *\$607,000, which may be transferred to and merged with the*  
22 *Diplomatic and Consular Programs account under Admin-*  
23 *istration of Foreign Affairs.*

24 *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

25 *For necessary expenses to carry out the Taiwan Rela-*  
26 *tions Act, Public Law 96-8, \$17,044,000.*

1     *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*  
2                                     *DISABILITY FUND*

3             *For payment to the Foreign Service Retirement and*  
4 *Disability Fund, as authorized by law, \$138,200,000.*

5     *INTERNATIONAL ORGANIZATIONS AND CONFERENCES*  
6     *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

7             *For expenses, not otherwise provided for, necessary to*  
8 *meet annual obligations of membership in international*  
9 *multilateral organizations, pursuant to treaties ratified*  
10 *pursuant to the advice and consent of the Senate, conven-*  
11 *tions or specific Acts of Congress, \$866,000,000: Provided,*  
12 *That any payment of arrearages under this title shall be*  
13 *directed toward special activities that are mutually agreed*  
14 *upon by the United States and the respective international*  
15 *organization: Provided further, That none of the funds ap-*  
16 *propriated in this paragraph shall be available for a United*  
17 *States contribution to an international organization for the*  
18 *United States share of interest costs made known to the*  
19 *United States Government by such organization for loans*  
20 *incurred on or after October 1, 1984, through external bor-*  
21 *rowings: Provided further, That funds appropriated under*  
22 *this paragraph may be obligated and expended to pay the*  
23 *full United States assessment to the civil budget of the North*  
24 *Atlantic Treaty Organization.*



1 *to provide equipment, services, and material for United Na-*  
2 *tions peacekeeping activities equal to those being given to*  
3 *foreign manufacturers and suppliers: Provided further,*  
4 *That none of the funds made available under this heading*  
5 *are available to pay the United States share of the cost of*  
6 *court monitoring that is part of any United Nations peace-*  
7 *keeping mission.*

8 *INTERNATIONAL COMMISSIONS*

9 *For necessary expenses, not otherwise provided for, to*  
10 *meet obligations of the United States arising under treaties,*  
11 *or specific Acts of Congress, as follows:*

12 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*

13 *UNITED STATES AND MEXICO*

14 *For necessary expenses for the United States Section*  
15 *of the International Boundary and Water Commission,*  
16 *United States and Mexico, and to comply with laws appli-*  
17 *cable to the United States Section, including not to exceed*  
18 *\$6,000 for representation; as follows:*

19 *SALARIES AND EXPENSES*

20 *For salaries and expenses, not otherwise provided for,*  
21 *\$25,155,000.*

22 *CONSTRUCTION*

23 *For detailed plan preparation and construction of au-*  
24 *thorized projects, \$5,488,000, to remain available until ex-*  
25 *pended, as authorized.*



1 *of the Eisenhower Exchange Fellowship Act of 1990 (20*  
2 *U.S.C. 5204–5205), all interest and earnings accruing to*  
3 *the Eisenhower Exchange Fellowship Program Trust Fund*  
4 *on or before September 30, 2003, to remain available until*  
5 *expended: Provided, That none of the funds appropriated*  
6 *herein shall be used to pay any salary or other compensa-*  
7 *tion, or to enter into any contract providing for the pay-*  
8 *ment thereof, in excess of the rate authorized by 5 U.S.C.*  
9 *5376; or for purposes which are not in accordance with*  
10 *OMB Circulars A–110 (Uniform Administrative Require-*  
11 *ments) and A–122 (Cost Principles for Non-profit Organi-*  
12 *zations), including the restrictions on compensation for per-*  
13 *sonal services.*

14 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

15 *For necessary expenses of the Israeli Arab Scholarship*  
16 *Program as authorized by section 214 of the Foreign Rela-*  
17 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*  
18 *U.S.C. 2452), all interest and earnings accruing to the*  
19 *Israeli Arab Scholarship Fund on or before September 30,*  
20 *2003, to remain available until expended.*

21 *EAST-WEST CENTER*

22 *To enable the Secretary of State to provide for car-*  
23 *rying out the provisions of the Center for Cultural and*  
24 *Technical Interchange Between East and West Act of 1960,*  
25 *by grant to the Center for Cultural and Technical Inter-*  
26 *change Between East and West in the State of Hawaii,*



1 \$18,000,000, to remain available until expended: Provided,  
2 That none of the funds appropriated herein shall be used  
3 to pay any salary, or enter into any contract providing  
4 for the payment thereof, in excess of the rate authorized by  
5 5 U.S.C. 5376.

6 *NATIONAL ENDOWMENT FOR DEMOCRACY*

7 *For grants made by the Department of State to the*  
8 *National Endowment for Democracy as authorized by the*  
9 *National Endowment for Democracy Act, \$46,500,000, to*  
10 *remain available until expended.*

11 *RELATED AGENCY*

12 *BROADCASTING BOARD OF GOVERNORS*

13 *INTERNATIONAL BROADCASTING OPERATIONS*

14 *For expenses necessary to enable the Broadcasting*  
15 *Board of Governors to carry out international communica-*  
16 *tion activities, \$431,456,000.*

17 *BROADCASTING TO CUBA*

18 *For necessary expenses to enable the Broadcasting*  
19 *Board of Governors to carry out broadcasting to Cuba, in-*  
20 *cluding the purchase, rent, construction, and improvement*  
21 *of facilities for radio and television transmission and recep-*  
22 *tion, and purchase and installation of necessary equipment*  
23 *for radio and television transmission and reception,*  
24 *\$24,996,000, to remain available until expended.*

1                    *BROADCASTING CAPITAL IMPROVEMENTS*

2            *For the purchase, rent, construction, and improvement*  
3 *of facilities for radio transmission and reception, and pur-*  
4 *chase and installation of necessary equipment for radio and*  
5 *television transmission and reception as authorized,*  
6 *\$13,740,000, to remain available until expended.*

7            *GENERAL PROVISIONS—DEPARTMENT OF STATE AND*  
8                    *RELATED AGENCY*

9            *SEC. 401. Funds appropriated under this title shall*  
10 *be available, except as otherwise provided, for allowances*  
11 *and differentials as authorized by subchapter 59 of title 5,*  
12 *United States Code; for services as authorized by 5 U.S.C.*  
13 *3109; and for hire of passenger transportation pursuant to*  
14 *31 U.S.C. 1343(b).*

15            *SEC. 402. Not to exceed 5 percent of any appropriation*  
16 *made available for the current fiscal year for the Depart-*  
17 *ment of State in this Act may be transferred between such*  
18 *appropriations, but no such appropriation, except as other-*  
19 *wise specifically provided, shall be increased by more than*  
20 *10 percent by any such transfers: Provided, That not to ex-*  
21 *ceed 5 percent of any appropriation made available for the*  
22 *current fiscal year for the Broadcasting Board of Governors*  
23 *in this Act may be transferred between such appropriations,*  
24 *but no such appropriation, except as otherwise specifically*  
25 *provided, shall be increased by more than 10 percent by*

1 *any such transfers: Provided further, That any transfer*  
2 *pursuant to this section shall be treated as a reprogram-*  
3 *ming of funds under section 605 of this Act and shall not*  
4 *be available for obligation or expenditure except in compli-*  
5 *ance with the procedures set forth in that section.*

6       *SEC. 403. None of the funds made available in this*  
7 *Act may be used by the Department of State or the Broad-*  
8 *casting Board of Governors to provide equipment, technical*  
9 *support, consulting services, or any other form of assistance*  
10 *to the Palestinian Broadcasting Corporation.*

11       *SEC. 404. None of the funds appropriated or otherwise*  
12 *made available by this Act or any other Act for fiscal year*  
13 *2003 or any fiscal year thereafter may be obligated or ex-*  
14 *pended for the operation of a United States consulate or*  
15 *diplomatic facility in Jerusalem unless such consulate or*  
16 *diplomatic facility is under the supervision of the United*  
17 *States Ambassador to Israel.*

18       *SEC. 405. None of the funds appropriated or otherwise*  
19 *made available by this Act or any other Act for fiscal year*  
20 *2003 or any fiscal year thereafter may be obligated or ex-*  
21 *pended for the publication of any official Government docu-*  
22 *ment which lists countries and their capital cities unless*  
23 *the publication identifies Jerusalem as the capital of Israel.*

24       *SEC. 406. For the purposes of registration of birth, cer-*  
25 *tification of nationality, or issuance of a passport of a*

1 *United States citizen born in the city of Jerusalem, the Sec-*  
2 *retary of State shall, upon request of the citizen, record the*  
3 *place of birth as Israel.*

4 *SEC. 407. (a) Not later than February 15, 2003, the*  
5 *Secretary of the Navy shall transfer, without reimburse-*  
6 *ment, to the Secretary of State administrative jurisdiction*  
7 *over the parcels of real property, together with any improve-*  
8 *ments thereon, consisting in aggregate of approximately 10*  
9 *acres at Naval Base, Charleston, South Carolina, described*  
10 *in subsection (b).*

11 *(b) The parcels of real property described in this sub-*  
12 *section are as follows:*

13 *(1) A parcel bounded by Holland Street, Dyess*  
14 *Avenue, and Hobson Avenue to the entrance way im-*  
15 *mediately west of Building 202.*

16 *(2) A parcel bounded on the north by Dyess Ave-*  
17 *nue comprising Building 644.*

18 *(c) The transfer of jurisdiction of real property under*  
19 *subsection (a) shall not effect the validity or term of any*  
20 *lease with respect to such real property in effect as of the*  
21 *date of the transfer.*

22 *(d) The Secretary of State shall use the property trans-*  
23 *ferred under subsection (a) for support of diplomatic and*  
24 *consular operations.*

1       (e) *The exact acreage and legal description of the prop-*  
2 *erty transferred under subsection (a) shall be determined*  
3 *by a survey satisfactory to the Secretary of the Navy. The*  
4 *cost of the survey shall be borne by the Secretary.*

5       (f) *The Secretary of the Navy may require such addi-*  
6 *tional terms and conditions in connection with the transfer*  
7 *of property under subsection (a) as the Secretary considers*  
8 *appropriate to protect the interests of the United States.*

9       *This title may be cited as the “Department of State*  
10 *and Related Agency Appropriations Act, 2003”.*

11                   *TITLE V—RELATED AGENCIES*

12                   *DEPARTMENT OF TRANSPORTATION*

13                   *MARITIME ADMINISTRATION*

14                   *MARITIME SECURITY PROGRAM*

15       *For necessary expenses to maintain and preserve a*  
16 *U.S.-flag merchant fleet to serve the national security needs*  
17 *of the United States, \$98,700,000, to remain available until*  
18 *September 30, 2005.*

19                   *OPERATIONS AND TRAINING*

20       *For necessary expenses of operations and training ac-*  
21 *tivities, \$89,904,000, of which \$13,000,000 shall remain*  
22 *available until expended for capital improvements at the*  
23 *United States Merchant Marine Academy.*



1 *propriations and limitations contained in this Act or in*  
2 *any prior Appropriations Act.*

3       *COMMISSION FOR THE PRESERVATION OF AMERICA'S*  
4                       *HERITAGE ABROAD*  
5                       *SALARIES AND EXPENSES*

6       *For expenses for the Commission for the Preservation*  
7 *of America's Heritage Abroad, \$659,000.*

8                       *COMMISSION ON CIVIL RIGHTS*  
9                       *SALARIES AND EXPENSES*

10       *For necessary expenses of the Commission on Civil*  
11 *Rights, including hire of passenger motor vehicles,*  
12 *\$9,096,000: Provided, That not to exceed \$50,000 may be*  
13 *used to employ consultants: Provided further, That none of*  
14 *the funds appropriated in this paragraph shall be used to*  
15 *employ in excess of four full-time individuals under Sched-*  
16 *ule C of the Excepted Service exclusive of one special assist-*  
17 *ant for each Commissioner: Provided further, That none of*  
18 *the funds appropriated in this paragraph shall be used to*  
19 *reimburse Commissioners for more than 75 billable days,*  
20 *with the exception of the chairperson, who is permitted 125*  
21 *billable days.*

1 *COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM*2 *SALARIES AND EXPENSES*

3 *For necessary expenses for the United States Commis-*  
4 *sion on International Religious Freedom, as authorized,*  
5 *\$3,000,000.*

6 *COMMISSION ON OCEAN POLICY*7 *SALARIES AND EXPENSES*

8 *For the necessary expenses of the Commission on*  
9 *Ocean Policy, \$3,000,000.*

10 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Commission on Security*  
13 *and Cooperation in Europe, \$1,550,000.*

14 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*15 *PEOPLE'S REPUBLIC OF CHINA*16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the Congressional-Executive*  
18 *Commission on the People's Republic of China, \$1,000,000.*

19 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Equal Employment Op-*  
22 *portunity Commission, including services as authorized;*  
23 *hire of passenger motor vehicles as authorized; non-mone-*  
24 *tary awards to private citizens; and not to exceed*  
25 *\$33,000,000 for payments to State and local enforcement*



1 *agencies for authorized services to the Commission,*  
2 *\$320,436,000: Provided, That the Commission is authorized*  
3 *to make available for official reception and representation*  
4 *expenses not to exceed \$2,500 from available funds.*

5 *FEDERAL COMMUNICATIONS COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Federal Communications*  
8 *Commission, as authorized by law, including uniforms and*  
9 *allowances therefor, as authorized by 5 U.S.C. 5901–5902;*  
10 *not to exceed \$600,000 for land and structure; not to exceed*  
11 *\$500,000 for improvement and care of grounds and repair*  
12 *to buildings; not to exceed \$4,000 for official reception and*  
13 *representation expenses; purchase and hire of motor vehi-*  
14 *cles; special counsel fees; and services as authorized by 5*  
15 *U.S.C. 3109, \$275,400,000, of which not to exceed \$300,000*  
16 *shall remain available until September 30, 2004, for re-*  
17 *search and policy studies: Provided, That \$275,400,000 of*  
18 *offsetting collections shall be assessed and collected pursuant*  
19 *to section 9 of title I of the Communications Act of 1934,*  
20 *as amended, and shall be retained and used for necessary*  
21 *expenses in this appropriation, and shall remain available*  
22 *until expended: Provided further, That the sum herein ap-*  
23 *propriated shall be reduced as such offsetting collections are*  
24 *received during fiscal year 2003: Provided further, That*  
25 *any offsetting collections received in excess of \$275,400,000*

1 *in fiscal year 2003 shall remain available until expended,*  
2 *but shall not be available for obligation until October 1,*  
3 *2003.*

4 *FEDERAL MARITIME COMMISSION*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Federal Maritime Com-*  
7 *mission as authorized, including services; hire of passenger*  
8 *motor vehicles; and uniforms or allowances therefor,*  
9 *\$16,795,000: Provided, That not to exceed \$2,000 shall be*  
10 *available for official reception and representation expenses.*

11 *FEDERAL TRADE COMMISSION*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Federal Trade Commis-*  
14 *sion, including uniforms or allowances therefor, as author-*  
15 *ized by 5 U.S.C. 5901–5902; services as authorized by 5*  
16 *U.S.C. 3109; hire of passenger motor vehicles; not to exceed*  
17 *\$2,000 for official reception and representation expenses,*  
18 *\$175,148,000, to remain available until expended: Pro-*  
19 *vided, That not to exceed \$300,000 shall be available for*  
20 *use to contract with a person or persons for collection serv-*  
21 *ices in accordance with the terms of 31 U.S.C. 3718, as*  
22 *amended: Provided further, That, notwithstanding any*  
23 *other provision of law, not to exceed \$166,000,000 of offset-*  
24 *ting collections derived from fees collected for premerger no-*  
25 *tification filings under the Hart-Scott-Rodino Antitrust*

1 *Improvements Act of 1976 (15 U.S.C. 18a), regardless of*  
2 *the year of collection, and offsetting collections derived from*  
3 *fees sufficient to implement and enforce the do-not-call pro-*  
4 *visions of the Telemarketing Sales Rule, 16 C.F.R. Part*  
5 *310, promulgated under the Telephone Consumer Fraud*  
6 *and Abuse Prevention Act (15 U.S.C. 6101 et seq.), esti-*  
7 *mated at \$16,000,000, shall be collected pursuant to this*  
8 *authority: Provided further, That all offsetting collections*  
9 *shall be credited to this appropriation, used for necessary*  
10 *expenses, and remain available until expended: Provided*  
11 *further, That the sum herein appropriated from the general*  
12 *fund shall be reduced as such offsetting collections are re-*  
13 *ceived during fiscal year 2003, so as to result in a final*  
14 *fiscal year 2003 appropriation from the general fund esti-*  
15 *mated at not more than \$9,148,000: Provided further, That*  
16 *none of the funds made available to the Federal Trade Com-*  
17 *mission shall be available for obligation for expenses au-*  
18 *thorized by section 151 of the Federal Deposit Insurance*  
19 *Corporation Improvement Act of 1991 (Public Law 102-*  
20 *242; 105 Stat. 2282-2285).*

21 *LEGAL SERVICES CORPORATION*

22 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

23 *For payment to the Legal Services Corporation to*  
24 *carry out the purposes of the Legal Services Corporation*  
25 *Act of 1974, as amended, \$348,397,000, of which*

1 \$19,000,000 (referred to in this title as the “supplemental  
2 legal assistance amount”) is to provide supplemental fund-  
3 ing for basic field programs, and related administration,  
4 to ensure that no service area (including a merged or recon-  
5 figured service area) receives less funding under the Legal  
6 Services Corporation Act for fiscal year 2003 than the area  
7 received for fiscal year 2002, due to use of data from the  
8 2000 Census, and of which \$310,097,000 is for basic field  
9 programs and required independent audits; \$2,600,000 is  
10 for the Office of Inspector General, of which such amounts  
11 as may be necessary may be used to conduct additional au-  
12 dits of recipients; \$13,300,000 is for management and ad-  
13 ministration; and \$3,400,000 is for client self-help and in-  
14 formation technology.

15 ADMINISTRATIVE PROVISION—LEGAL SERVICES

16 CORPORATION

17 None of the funds appropriated in this Act to the Legal  
18 Services Corporation shall be expended for any purpose pro-  
19 hibited or limited by, or contrary to any of the provisions  
20 of, sections 501, 502, 503, 504, 505, and 506 of Public Law  
21 105–119, and all funds appropriated in this Act to the  
22 Legal Services Corporation shall be subject to the same  
23 terms and conditions set forth in such sections, except that  
24 all references in sections 502 and 503 to 1997 and 1998  
25 shall be deemed to refer instead to 2002 and 2003, respec-  
26 tively.



1 *and staff to exchange views concerning developments relat-*  
2 *ing to securities matters, development and implementation*  
3 *of cooperation agreements concerning securities matters and*  
4 *provision of technical assistance for the development of for-*  
5 *ign securities markets, such expenses to include necessary*  
6 *logistic and administrative expenses and the expenses of*  
7 *Commission staff and foreign invitees in attendance at such*  
8 *consultations and meetings including: (1) such incidental*  
9 *expenses as meals taken in the course of such attendance;*  
10 *(2) any travel and transportation to or from such meetings;*  
11 *and (3) any other related lodging or subsistence: Provided,*  
12 *That fees and charges authorized by sections 6(b) of the Se-*  
13 *curities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e),*  
14 *14(g) and 31 of the Securities Exchange Act of 1934 (15*  
15 *U.S.C. 78m(e), 78n(g), and 78ee) shall be credited to this*  
16 *account as offsetting collections: Provided further, That not*  
17 *to exceed \$656,700,000 of such offsetting collections shall be*  
18 *available until expended for necessary expenses of this ac-*  
19 *count: Provided further, That the total amount appro-*  
20 *priated under this heading from the general fund for fiscal*  
21 *year 2003 shall be reduced as such offsetting fees are re-*  
22 *ceived so as to result in a final total fiscal 2003 appropria-*  
23 *tion from the general fund estimated at not more than \$0.*

1                    *SMALL BUSINESS ADMINISTRATION*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses, not otherwise provided for, of*  
4 *the Small Business Administration as authorized, includ-*  
5 *ing hire of passenger motor vehicles, and not to exceed*  
6 *\$3,500 for official reception and representation expenses,*  
7 *\$364,357,000: Provided, That the Administrator is author-*  
8 *ized to charge fees to cover the cost of publications developed*  
9 *by the Small Business Administration, and certain loan*  
10 *servicing activities: Provided further, That, notwith-*  
11 *standing 31 U.S.C. 3302, revenues received from all such*  
12 *activities shall be credited to this account, to be available*  
13 *for carrying out these purposes without further appropria-*  
14 *tions: Provided further, That \$88,000,000 shall be available*  
15 *to fund grants for performance in fiscal year 2003 or fiscal*  
16 *year 2004 as authorized.*

17                    *OFFICE OF INSPECTOR GENERAL*

18            *For necessary expenses of the Office of Inspector Gen-*  
19 *eral, \$11,600,000.*

20                    *BUSINESS LOANS PROGRAM ACCOUNT*

21            *For the cost of direct loans, \$3,726,000, to be available*  
22 *until expended; and for the cost of guaranteed loans,*  
23 *\$85,360,000, as authorized, of which \$45,000,000 shall re-*  
24 *main available until September 30, 2004: Provided, That*  
25 *such costs, including the cost of modifying such loans, shall*  
26 *be as defined in section 502 of the Congressional Budget*

1 *Act of 1974, as amended: Provided further, That during fis-*  
2 *cal year 2003 commitments to guarantee loans under sec-*  
3 *tion 503 of the Small Business Investment Act of 1958, as*  
4 *amended, shall not exceed \$4,500,000,000, as provided*  
5 *under section 20(h)(1)(B)(ii) of the Small Business Act:*  
6 *Provided further, That during fiscal year 2003 commit-*  
7 *ments to guarantee loans for debentures and participating*  
8 *securities under section 303(b) of the Small Business Invest-*  
9 *ment Act of 1958, as amended, shall not exceed the levels*  
10 *established by section 20(i)(1)(C) of the Small Business Act.*

11 *In addition, for administrative expenses to carry out*  
12 *the direct and guaranteed loan programs, \$129,000,000,*  
13 *which may be transferred to and merged with the appro-*  
14 *priations for Salaries and Expenses.*

15 *DISASTER LOANS PROGRAM ACCOUNT*

16 *For the cost of direct loans authorized by section 7(b)*  
17 *of the Small Business Act, as amended, \$76,140,000, to re-*  
18 *main available until expended: Provided, That such costs,*  
19 *including the cost of modifying such loans, shall be as de-*  
20 *finied in section 502 of the Congressional Budget Act of*  
21 *1974, as amended.*

22 *In addition, for administrative expenses to carry out*  
23 *the direct loan program, \$118,354,000, which may be trans-*  
24 *ferred to and merged with appropriations for Salaries and*  
25 *Expenses, of which \$500,000 is for the Office of Inspector*  
26 *General of the Small Business Administration for audits*



1 *and reviews of disaster loans and the disaster loan program*  
2 *and shall be transferred to and merged with appropriations*  
3 *for the Office of Inspector General; of which \$108,000,000*  
4 *is for direct administrative expenses of loan making and*  
5 *servicing to carry out the direct loan program; and of which*  
6 *\$9,854,000 is for indirect administrative expenses: Pro-*  
7 *vided, That any amount in excess of \$9,854,000 to be trans-*  
8 *ferred to and merged with appropriations for Salaries and*  
9 *Expenses for indirect administrative expenses shall be treat-*  
10 *ed as a reprogramming of funds under section 605 of this*  
11 *Act and shall not be available for obligation or expenditure*  
12 *except in compliance with the procedures set forth in that*  
13 *section.*

14 *ADMINISTRATIVE PROVISION—SMALL BUSINESS*

15 *ADMINISTRATION*

16 *Not to exceed 5 percent of any appropriation made*  
17 *available for the current fiscal year for the Small Business*  
18 *Administration in this Act may be transferred between such*  
19 *appropriations, but no such appropriation shall be in-*  
20 *creased by more than 10 percent by any such transfers: Pro-*  
21 *vided, That any transfer pursuant to this paragraph shall*  
22 *be treated as a reprogramming of funds under section 605*  
23 *of this Act and shall not be available for obligation or ex-*  
24 *penditure except in compliance with the procedures set forth*  
25 *in that section.*

1                    *STATE JUSTICE INSTITUTE*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the State Justice Institute,*  
4 *\$3,100,000: Provided, That not to exceed \$2,500 shall be*  
5 *available for official reception and representation expenses.*

6                    *TITLE VI—GENERAL PROVISIONS*

7            *SEC. 601. No part of any appropriation contained in*  
8 *this Act shall be used for publicity or propaganda purposes*  
9 *not authorized by the Congress.*

10           *SEC. 602. No part of any appropriation contained in*  
11 *this Act shall remain available for obligation beyond the*  
12 *current fiscal year unless expressly so provided herein.*

13           *SEC. 603. The expenditure of any appropriation under*  
14 *this Act for any consulting service through procurement*  
15 *contract, pursuant to 5 U.S.C. 3109, shall be limited to*  
16 *those contracts where such expenditures are a matter of pub-*  
17 *lic record and available for public inspection, except where*  
18 *otherwise provided under existing law, or under existing*  
19 *Executive order issued pursuant to existing law.*

20           *SEC. 604. None of the funds appropriated or otherwise*  
21 *made available by this Act or any other Act may be used*  
22 *to implement, enforce, or otherwise abide by the Memo-*  
23 *randum of Agreement signed by the Federal Trade Commis-*  
24 *sion and the Antitrust Division of the Department of Jus-*  
25 *tice on March 5, 2002.*

1        *SEC. 605. (a) None of the funds provided under this*  
2 *Act, or provided under previous appropriations Acts to the*  
3 *agencies funded by this Act that remain available for obli-*  
4 *gation or expenditure in fiscal year 2003, or provided from*  
5 *any accounts in the Treasury of the United States derived*  
6 *by the collection of fees available to the agencies funded by*  
7 *this Act, shall be available for obligation or expenditure*  
8 *through a reprogramming of funds which: (1) creates new*  
9 *programs; (2) eliminates a program, project, or activity;*  
10 *(3) increases funds or personnel by any means for any*  
11 *project or activity for which funds have been denied or re-*  
12 *stricted; (4) relocates an office or employees; (5) reorganizes*  
13 *offices, programs, or activities; or (6) contracts out or*  
14 *privatizes any functions or activities presently performed*  
15 *by Federal employees; unless the Appropriations Commit-*  
16 *tees of both Houses of Congress are notified 15 days in ad-*  
17 *vance of such reprogramming of funds.*

18        *(b) None of the funds provided under this Act, or pro-*  
19 *vided under previous appropriations Acts to the agencies*  
20 *funded by this Act that remain available for obligation or*  
21 *expenditure in fiscal year 2003, or provided from any ac-*  
22 *counts in the Treasury of the United States derived by the*  
23 *collection of fees available to the agencies funded by this*  
24 *Act, shall be available for obligation or expenditure for ac-*  
25 *tivities, programs, or projects through a reprogramming of*

1 *funds in excess of \$500,000 or 10 percent, whichever is less,*  
2 *that: (1) augments existing programs, projects (including*  
3 *construction projects), or activities; (2) reduces by 10 per-*  
4 *cent funding for any existing program, project, or activity,*  
5 *or numbers of personnel by 10 percent as approved by Con-*  
6 *gress; or (3) results from any general savings from a reduc-*  
7 *tion in personnel which would result in a change in existing*  
8 *programs, activities, or projects as approved by Congress;*  
9 *unless the Appropriations Committees of both Houses of*  
10 *Congress are notified 15 days in advance of such re-*  
11 *programming of funds.*

12       *SEC. 606. None of the funds made available in this*  
13 *Act may be used for the construction, repair (other than*  
14 *emergency repair), overhaul, conversion, or modernization*  
15 *of vessels for the National Oceanic and Atmospheric Admin-*  
16 *istration in shipyards located outside of the United States.*

17       *SEC. 607. Of the funds appropriated in this Act under*  
18 *the heading "Office of Justice Programs—State and Local*  
19 *Law Enforcement Assistance", not more than 90 percent*  
20 *of the amount to be awarded to an entity under the Local*  
21 *Law Enforcement Block Grant shall be made available to*  
22 *such an entity when it is made known to the Federal official*  
23 *having authority to obligate or expend such funds that the*  
24 *entity that employs a public safety officer (as such term*  
25 *is defined in section 1204 of title I of the Omnibus Crime*

1 *Control and Safe Streets Act of 1968) does not provide such*  
2 *a public safety officer who retires or is separated from serv-*  
3 *ice due to injury suffered as the direct and proximate result*  
4 *of a personal injury sustained in the line of duty while re-*  
5 *sponding to an emergency situation or a hot pursuit (as*  
6 *such terms are defined by State law) with the same or better*  
7 *level of health insurance benefits at the time of retirement*  
8 *or separation as they received while on duty.*

9       *SEC. 608. Hereafter, none of the funds provided by this*  
10 *Act shall be available to promote the sale or export of to-*  
11 *bacco or tobacco products, or to seek the reduction or re-*  
12 *moval by any foreign country of restrictions on the mar-*  
13 *keting of tobacco or tobacco products, except for restrictions*  
14 *which are not applied equally to all tobacco or tobacco prod-*  
15 *ucts of the same type.*

16       *SEC. 609. (a) None of the funds appropriated or other-*  
17 *wise made available by this Act shall be expended for any*  
18 *purpose for which appropriations are prohibited by section*  
19 *616 of the Departments of Commerce, Justice, and State,*  
20 *the Judiciary, and Related Agencies Appropriations Act,*  
21 *1999, as amended.*

22       *(b) The requirements in subsections (b) and (c) of sec-*  
23 *tion 616 of that Act shall continue to apply during fiscal*  
24 *year 2003.*

1       (c) *Notwithstanding any other provision of law, attor-*  
2 *neys in positions funded with amounts made available*  
3 *under the headings “Salaries and Expenses, General Legal*  
4 *Activities” and “Salaries and Expenses, United States At-*  
5 *torneys” in title I of this Act shall be compensated on an*  
6 *hourly basis, weekly compensation to be determined by me-*  
7 *chanical means, and shall have such fixed breaks each work*  
8 *day as are afforded other hourly workers employed by the*  
9 *Department of Justice.*

10       *SEC. 610. None of the funds appropriated pursuant*  
11 *to this Act or any other provision of law may be used for:*  
12 *(1) the implementation of any tax or fee in connection with*  
13 *the implementation of 18 U.S.C. 922(t); and (2) any system*  
14 *to implement 18 U.S.C. 922(t) that does not require and*  
15 *result in the destruction of any identifying information*  
16 *submitted by or on behalf of any person who has been deter-*  
17 *mined not to be prohibited from owning a firearm.*

18       *SEC. 611. Notwithstanding any other provision of law,*  
19 *amounts deposited or available in the Fund established*  
20 *under 42 U.S.C. 10601 in any fiscal year in excess of*  
21 *\$566,500,000 shall not be available for obligation until the*  
22 *following fiscal year, with the exception of emergency ap-*  
23 *propriations made available by Public Law 107–38 and*  
24 *transferred to the Fund.*

1        *SEC. 612. None of the funds appropriated or otherwise*  
2 *made available to the Department of State and the Depart-*  
3 *ment of Justice shall be available for the purpose of grant-*  
4 *ing either immigrant or nonimmigrant visas, or both, con-*  
5 *sistent with the Secretary's determination under section*  
6 *243(d) of the Immigration and Nationality Act, to citizens,*  
7 *subjects, nationals, or residents of countries that the Attor-*  
8 *ney General has determined deny or unreasonably delay ac-*  
9 *cepting the return of citizens, subjects, nationals, or resi-*  
10 *dents under that section.*

11        *SEC. 613. None of the funds made available to the De-*  
12 *partment of Justice in this Act may be used for the purpose*  
13 *of transporting an individual who is a prisoner pursuant*  
14 *to conviction for crime under State or Federal law and is*  
15 *classified as a maximum or high security prisoner, other*  
16 *than to a prison or other facility certified by the Federal*  
17 *Bureau of Prisons as appropriately secure for housing such*  
18 *a prisoner.*

19        *SEC. 614. Hereafter, none of the funds appropriated*  
20 *by this Act or any other Act may be used by Federal prisons*  
21 *to purchase cable television services, to rent or purchase vid-*  
22 *eocassettes, videocassette recorders, or other audiovisual or*  
23 *electronic equipment used primarily for recreational pur-*  
24 *poses.*

1        *SEC. 615. Of the amounts provided for “Small Busi-*  
2 *ness Administration, Salaries and Expenses”, \$31,625,000,*  
3 *of which \$2,000,000 shall be available for a grant to the*  
4 *Innovation and Commercialization Center; \$2,000,000 shall*  
5 *be available for the Mississippi State University MAF/*  
6 *TIGER database project; \$1,000,000 shall be for the Black*  
7 *Hills Rural Tourism Marketing Program; \$1,500,000 shall*  
8 *be for the Center for Tourism Research; \$3,125,000 shall*  
9 *be for the National Inventor’s Hall of Fame; \$5,000,000*  
10 *shall be for the Boston Museum of Science; \$2,000,000 shall*  
11 *be for the Tuck School and Minority Business Development*  
12 *Agency Partnership; \$2,000,000 shall be for the Oklahoma*  
13 *International Trade Processing Center; \$300,000 shall be*  
14 *for the Center for Women and Enterprise; \$500,000 shall*  
15 *be for the Ogontz Revitalization Corporation; \$800,000*  
16 *shall be for Kennesaw State University Family Business*  
17 *Initiative; \$500,000 shall be for the Idaho Virtual Incu-*  
18 *bator, Phase III; \$1,600,000 shall be for the Adelante grant;*  
19 *\$300,000 shall be for the Immigration Services project in*  
20 *Iowa; \$2,000,000 shall be for the Microdevice Fabrication*  
21 *Facility; \$4,000,000 shall be for the Marine Mammal Com-*  
22 *mission; \$600,000 shall be for the Carvers Bay Library;*  
23 *\$1,000,000 shall be for technical upgrades for the Northwest*  
24 *Center for Engineering, Science, and Technology; \$200,000*  
25 *shall be for the Southern New Mexico High Technology Con-*



1 *sortium; \$1,000,000 shall be for the American Museum of*  
2 *Natural History; and \$200,000 shall be for the Program*  
3 *for International Education and Training.*

4 *SEC. 616. Section 1605 of title 28, United States Code*  
5 *is amended by adding a new subsection (h) as follows:*

6 *“(h) CAUSE OF ACTION FOR IRANIAN HOSTAGES.—*  
7 *Notwithstanding any provision of the Algiers Accords, or*  
8 *any other international agreement, any United States cit-*  
9 *izen held hostage in Iran after November 1, 1979, and their*  
10 *spouses and children at the time, shall have a claim for*  
11 *money damages against the government of Iran. Any provi-*  
12 *sion in an international agreement, including the Algiers*  
13 *Accords that purports to bar such suit is abrogated. This*  
14 *subsection shall apply retroactively to any cause of action*  
15 *cited in 28 U.S.C. 1605 (a)(7)(A).*

16 *SEC. 617. Any amounts previously appropriated for*  
17 *the Port of Anchorage for an intermodal marine facility*  
18 *and access thereto shall be transferred to and administered*  
19 *by the Administrator for the Maritime Administration in-*  
20 *cluding non-federal contributions. Such amounts shall be*  
21 *subject only to conditions and requirements required by the*  
22 *Maritime Administration.*

23 *SEC. 618. USE OF EMERGENCY FUNDS FOR SMALL*  
24 *BUSINESS LOANS. The matter under the heading “BUSI-*  
25 *NESS LOANS PROGRAM ACCOUNT” in chapter 2 of division*

1 *B of the Department of Defense and Emergency Supple-*  
 2 *mental Appropriations for Recovery from and Response to*  
 3 *Terrorist Attacks on the United States Act, 2002 (Public*  
 4 *Law 107–117) is amended by striking “For emergency ex-*  
 5 *penses” and inserting the following: “For loan guarantee*  
 6 *subsidies under section 7(a) of the Small Business Act (15*  
 7 *U.S.C. 636(a)) or for emergency expenses”.*

8 *TITLE VII—RESCISSIONS*

9 *DEPARTMENT OF JUSTICE*

10 *GENERAL ADMINISTRATION*

11 *WORKING CAPITAL FUND*

12 *(RESCISSION)*

13 *Of the unobligated balances available under this head-*  
 14 *ing, \$36,230,000 are rescinded.*

15 *LEGAL ACTIVITIES*

16 *ASSET FORFEITURE FUND*

17 *(RESCISSION)*

18 *Of the unobligated balances available under this head-*  
 19 *ing, \$50,874,000 are rescinded.*

1     *DEPARTMENT OF COMMERCE AND RELATED*  
2                                     *AGENCIES*

3                             *DEPARTMENT OF COMMERCE*

4             *UNITED STATES PATENT AND TRADEMARK OFFICE*

5                                     *SALARIES AND EXPENSES*

6                                     *(RESCISSION)*

7             *Of the unobligated balances available under this head-*  
8 *ing, \$120,000,000 are rescinded.*

9             *This division may be cited as the “Departments of*  
10 *Commerce, Justice, and State, the Judiciary, and Related*  
11 *Agencies Appropriations Act, 2003”.*

12                             *DIVISION C—DISTRICT OF COLUMBIA*

13                                     *APPROPRIATIONS, 2003*

14 *Making appropriations for the government of the District*  
15 *of Columbia and other activities chargeable in whole*  
16 *or in part against the revenues of said District for the*  
17 *fiscal year ending September 30, 2003, and for other*  
18 *purposes.*

19 *That the following sums are appropriated, out of any*  
20 *money in the Treasury not otherwise appropriated, for the*  
21 *District of Columbia and related agencies for the fiscal year*  
22 *ending September 30, 2003, and for other purposes, namely:*

23                                     *FEDERAL FUNDS*

24             *FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT*

25             *For a Federal payment to the District of Columbia,*  
26 *to be deposited into a dedicated account, for a nationwide*

1 program to be administered by the Mayor, for District of  
2 Columbia resident tuition support, \$17,000,000, to remain  
3 available until expended: Provided, That such funds, in-  
4 cluding any interest accrued thereon, may be used on behalf  
5 of eligible District of Columbia residents to pay an amount  
6 based upon the difference between in-State and out-of-State  
7 tuition at public institutions of higher education, or to pay  
8 up to \$2,500 each year at eligible private institutions of  
9 higher education: Provided further, That the awarding of  
10 such funds may be prioritized on the basis of a resident's  
11 academic merit, the income and need of eligible students  
12 and such other factors as may be authorized: Provided fur-  
13 ther, That the District of Columbia government shall main-  
14 tain a dedicated account for the Resident Tuition Support  
15 Program that shall consist of the Federal funds appro-  
16 priated to the Program in this Act and any subsequent ap-  
17 propriations, any unobligated balances from prior fiscal  
18 years, and any interest earned in this or any fiscal year:  
19 Provided further, That the account shall be under the con-  
20 trol of the District of Columbia Chief Financial Officer who  
21 shall use those funds solely for the purposes of carrying out  
22 the Resident Tuition Support Program: Provided further,  
23 That the Resident Tuition Support Program Office and the  
24 Office of the Chief Financial Officer shall provide a quar-  
25 terly financial report to the Committees on Appropriations

1 *of the Senate and House of Representatives for these funds*  
2 *showing, by object class, the expenditures made and the pur-*  
3 *pose therefor: Provided further, That not more than seven*  
4 *percent of the total amount appropriated for this program*  
5 *may be used for administrative expenses.*

6 *FEDERAL PAYMENT FOR EMERGENCY PLANNING AND*  
7 *SECURITY COSTS IN THE DISTRICT OF COLUMBIA*

8 *For necessary expenses, as determined by the Mayor*  
9 *of the District of Columbia in written consultation with the*  
10 *elected county or city officials of surrounding jurisdictions,*  
11 *\$15,000,000, to remain available until expended, to reim-*  
12 *burse the District of Columbia for the costs of public safety*  
13 *expenses related to security events in the District of Colum-*  
14 *bia and for the costs of providing support to respond to*  
15 *immediate and specific terrorist threats or attacks in the*  
16 *District of Columbia or surrounding jurisdictions: Pro-*  
17 *vided, That the Chief Financial Officer of the District of*  
18 *Columbia shall provide a report, within 15 days of an ex-*  
19 *penditure, to the President and to the Committees on Ap-*  
20 *propriations of the Senate and the House of Representa-*  
21 *tives, detailing any expenditure of these funds for public*  
22 *safety purposes: Provided further, That the Office of Man-*  
23 *agement and Budget shall, in consultation with the United*  
24 *States Park Police, the National Park Service, the Secret*  
25 *Service, the Federal Bureau of Investigation, the United*

1 *States Protective Service, the Department of State, and the*  
2 *General Services Administration, review the National Cap-*  
3 *ital Planning Commission study on “Designing for Secu-*  
4 *rity in the Nation’s Capital” and report to the Committees*  
5 *on Appropriations of the Senate and House of Representa-*  
6 *tives on the steps these agencies will take to improve the*  
7 *appearance of security measures in the District of Columbia*  
8 *in accordance with the National Capital Planning Commis-*  
9 *sion recommendations, no later than February 5, 2003:*  
10 *Provided further, That the report shall include the rec-*  
11 *ommendations of each agency.*

12 *FEDERAL PAYMENT FOR HOSPITAL BIOTERRORISM*

13 *PREPAREDNESS IN THE DISTRICT OF COLUMBIA*

14 *For a Federal payment to support bioterrorism hos-*  
15 *pital preparedness in the District of Columbia,*  
16 *\$10,000,000, of which \$5,000,000 shall be for the Children’s*  
17 *National Medical Center in the District of Columbia for*  
18 *the expansion of quarantine facilities and the establishment*  
19 *of a decontamination facility, and \$5,000,000 shall be for*  
20 *the Washington Hospital Center for construction of contain-*  
21 *ment facilities.*

22 *FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER*

23 *OF THE DISTRICT OF COLUMBIA*

24 *For a Federal payment to the Chief Financial Officer*  
25 *of the District of Columbia, \$15,000,000, for education, se-*

1 *curity, economic development, and health initiatives in the*  
2 *District of Columbia.*

3 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

4 *COURTS*

5 *For salaries and expenses for the District of Columbia*  
6 *Courts, \$166,193,000, to be allocated as follows: for the Dis-*  
7 *trict of Columbia Court of Appeals, \$8,551,000, of which*  
8 *not to exceed \$1,500 is for official reception and representa-*  
9 *tion expenses; for the District of Columbia Superior Court,*  
10 *\$81,265,000, of which not to exceed \$1,500 is for official*  
11 *reception and representation expenses; for the District of*  
12 *Columbia Court System, \$39,676,000, of which not to ex-*  
13 *ceed \$1,500 is for official reception and representation ex-*  
14 *penses; and \$35,201,000 for capital improvements for Dis-*  
15 *trict of Columbia courthouse facilities: Provided, That these*  
16 *funds are expended consistent with the General Services Ad-*  
17 *ministration master plan study and building evaluation re-*  
18 *port: Provided further, That \$1,500,000, of the funds made*  
19 *available under this heading, shall be deposited into a dedi-*  
20 *cated account in the U.S. Treasury and shall remain avail-*  
21 *able until expended, for a program to be administered by*  
22 *the District of Columbia Superior Court to provide guard-*  
23 *ians ad litem to abused and neglected children: Provided*  
24 *further, That such program shall develop the capacity to*  
25 *improve the quality, training and recruitment of guardians*

1 *ad litem to abused and neglected children: Provided further,*  
2 *That such funds, including any interest accrued thereon,*  
3 *shall be used to contract with a non-profit organization to*  
4 *act as guardians ad litem, provide training, technical as-*  
5 *sistance, and other such services including infrastructure*  
6 *development as are necessary to improve the quality of*  
7 *guardian ad litem representation to abused and neglected*  
8 *children in the District of Columbia Family Court: Pro-*  
9 *vided further, That the non-profit organization shall have*  
10 *expertise in the following areas: representing children, child*  
11 *welfare, adoption, guardianship, special education and do-*  
12 *mestic violence: Provided further, That the District of Co-*  
13 *lumbia Superior Court shall establish a dedicated account*  
14 *in the U.S. Treasury for the Guardian ad Litem Program*  
15 *that shall consist of the Federal funds appropriated to the*  
16 *Program in this Act and any subsequent appropriations,*  
17 *any necessary funds provided under the heading “Defender*  
18 *Services in the District of Columbia Courts”, any unobli-*  
19 *gated balances from prior fiscal years, and any interest*  
20 *earned in this or any fiscal year: Provided further, That*  
21 *notwithstanding any other provision of law, all amounts*  
22 *under this heading shall be apportioned quarterly by the*  
23 *Office of Management and Budget and obligated and ex-*  
24 *pended in the same manner as funds appropriated for sala-*  
25 *ries and expenses of other Federal agencies, with payroll*



1 *and financial services to be provided on a contractual basis*  
2 *with the General Services Administration (GSA), said serv-*  
3 *ices to include the preparation of monthly financial reports,*  
4 *copies of which shall be submitted directly by GSA to the*  
5 *President and to the Committees on Appropriations of the*  
6 *Senate and House of Representatives, the Committee on*  
7 *Governmental Affairs of the Senate, and the Committee on*  
8 *Government Reform of the House of Representatives: Pro-*  
9 *vided further, That funds made available for capital im-*  
10 *provements may remain available until September 30,*  
11 *2004: Provided further, That 30 days after providing writ-*  
12 *ten notice to the Committees on Appropriations of the Sen-*  
13 *ate and House of Representatives, the District of Columbia*  
14 *Courts may reallocate not more than \$1,000,000 of the*  
15 *funds provided under this heading among the items and*  
16 *entities funded under such heading: Provided further, That*  
17 *notwithstanding Section 446 of the District of Columbia*  
18 *Home Rule Act or any provision of subchapter III of chap-*  
19 *ter 13 of title 31, United States Code, the use of interest*  
20 *earned on the Federal payment made to the District of Co-*  
21 *lumbia Courts under the District of Columbia Appropria-*  
22 *tions Act, 1998, by the Courts during fiscal year 1998 shall*  
23 *not constitute a violation of such Act or such subchapter.*

1 *DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS*

2 *For payments authorized under section 11–2604 and*  
3 *section 11–2605, D.C. Official Code (relating to representa-*  
4 *tion provided under the District of Columbia Criminal Jus-*  
5 *tice Act), payments for counsel appointed in proceedings*  
6 *in the Family Division of the Superior Court of the District*  
7 *of Columbia under chapter 23 of title 16, D.C. Code, or*  
8 *pursuant to a contract with a non-profit organization to*  
9 *provide guardian ad litem representation, training, tech-*  
10 *nical assistance and such other services as are necessary*  
11 *to improve the quality of guardian ad litem representation,*  
12 *and payments for counsel authorized under section 21–*  
13 *2060, D.C. Code (relating to representation provided under*  
14 *the District of Columbia Guardianship, Protective Pro-*  
15 *ceedings, and Durable Power of Attorney Act of 1986),*  
16 *\$34,000,000, to remain available until expended: Provided,*  
17 *That the funds provided in this Act under the heading*  
18 *“Federal Payment to the District of Columbia Courts”*  
19 *(other than the \$35,201,000 provided under such heading*  
20 *for capital improvements for District of Columbia court-*  
21 *house facilities) may also be used for payments under this*  
22 *heading: Provided further, That in addition to the funds*  
23 *provided under this heading, the Joint Committee on Judi-*  
24 *cial Administration in the District of Columbia shall use*  
25 *funds provided in this Act under the heading “Federal Pay-*

1 *ment to the District of Columbia Courts” (other than the*  
2 *\$35,201,000 provided under such heading for capital im-*  
3 *provements for District of Columbia courthouse facilities),*  
4 *to make payments described under this heading for obliga-*  
5 *tions incurred during any fiscal year: Provided further,*  
6 *That funds provided under this heading shall be adminis-*  
7 *tered by the Joint Committee on Judicial Administration*  
8 *in the District of Columbia: Provided further, That not-*  
9 *withstanding any other provision of law, this appropria-*  
10 *tion shall be apportioned quarterly by the Office of Manage-*  
11 *ment and Budget and obligated and expended in the same*  
12 *manner as funds appropriated for expenses of other Federal*  
13 *agencies, with payroll and financial services to be provided*  
14 *on a contractual basis with the General Services Adminis-*  
15 *tration (GSA), said services to include the preparation of*  
16 *monthly financial reports, copies of which shall be sub-*  
17 *mitted directly by GSA to the President and to the Commit-*  
18 *tees on Appropriations of the Senate and House of Rep-*  
19 *resentatives, the Committee on Governmental Affairs of the*  
20 *Senate, and the Committee on Government Reform of the*  
21 *House of Representatives.*

22 *ADMINISTRATIVE PROVISIONS*

23 *SEC. 1. PAYMENTS FOR REPRESENTATION OF*  
24 *INDIGENTS. (a) SERVICES OF COUNSEL.—Section 11–2604,*

1 *District of Columbia Code, is amended in subsection (a),*  
2 *by striking “\$65” and inserting “\$75”.*

3       (b) *EFFECTIVE DATE.*—*The amendment made by this*  
4 *provision shall apply with respect to cases and proceedings*  
5 *initiated on or after October 1, 2002.*

6       (c) *The hourly rate paid to attorneys representing in-*  
7 *igent defendants in the District of Columbia, subject to*  
8 *Section 11–2604 and Section 16–2326.01(b) of the District*  
9 *of Columbia Code shall be \$90 per hour, effective October*  
10 *1, 2003.*

11       *SEC. 2. INCLUSION OF COURT EMPLOYEES IN LONG*  
12 *TERM CARE PROGRAM. (a) Section 9001(1) of Title 5,*  
13 *United States Code, is amended by adding before the period*  
14 *“(other than an employee of the District of Columbia*  
15 *Courts)”.*

16       (b) *Section 11–1726, District of Columbia Code, is*  
17 *amended as follows:*

18           (1) *in subsection (b)(1), by adding at the end:*  
19       *“(F) Chapter 90 (relating to long-term care insur-*  
20       *ance).”.*

21           (2) *in subsection (c)(1), by adding at the end:*  
22       *“(D) Chapter 90 (relating to long-term care insur-*  
23       *ance).”.*

24       *SEC. 3. CRIME VICTIMS COMPENSATION FUND. All*  
25 *funds from the Crime Victims Compensation Fund, estab-*

1 lished by section 16 of the Victims of Violent Crime Com-  
2 pensation Act of 1996, effective April 9, 1997 (D.C. Law  
3 11–243; D.C. Official Code, sec. 4–514) (“Compensation  
4 Act”), that are designated for outreach activities pursuant  
5 to section 16(d)(2) of the Compensation Act shall be depos-  
6 ited in the Crime Victims Assistance Fund, established by  
7 section 16a of the Compensation Act, for the purpose of out-  
8 reach activities, and shall remain available until expended.

9       SEC. 4. TRANSFER OF FINES. Notwithstanding any  
10 other law, the District of Columbia Courts shall transfer  
11 to the D.C. Treasury all fines levied and collected by the  
12 Courts in cases charging Driving Under the Influence and  
13 Driving While Impaired. The transferred funds shall re-  
14 main available until expended and shall be used by the Of-  
15 fice of the Corporation Counsel, for enforcement and pros-  
16 ecution of District traffic alcohol laws in accordance with  
17 section 10(b)(3) of the District of Columbia Traffic Control  
18 Act, approved March 3, 1925 (43 Stat. 1124; D.C. Official  
19 Code, sec. 50–2201.05(b)(3)).

20       SEC. 5. TRANSFER TO CHILD AND FAMILY SERVICES  
21 AGENCY. Of the amount appropriated as a Federal payment  
22 to the District of Columbia Courts in the Fiscal Year 2002  
23 District of Columbia Appropriations Act (Public Law 107–  
24 96; 115 Stat. 927) that remain available through September  
25 30, 2003, \$560,000 are hereby transferred to the District

1 *of Columbia Child and Family Services Agency for child*  
2 *abuse services.*

3 *FEDERAL PAYMENT TO THE COURT SERVICES AND OF-*  
4 *FENDER SUPERVISION AGENCY FOR THE DISTRICT OF*  
5 *COLUMBIA*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For salaries and expenses, including the transfer and*  
8 *hire of motor vehicles, of the Court Services and Offender*  
9 *Supervision Agency for the District of Columbia, as author-*  
10 *ized by the National Capital Revitalization and Self-Gov-*  
11 *ernment Improvement Act of 1997 (Public Law 105-33;*  
12 *111 Stat. 712), \$154,707,000 of which not to exceed \$2,000*  
13 *is for official receptions related to offender and defendant*  
14 *support programs; of which \$95,682,000 shall be for nec-*  
15 *essary expenses of Community Supervision and Sex Of-*  
16 *fender Registration, to include expenses relating to super-*  
17 *vision of adults subject to protection orders or provision of*  
18 *services for or related to such persons; \$23,070,000 shall be*  
19 *transferred to the Public Defender Service; and \$35,955,000*  
20 *shall be available to the Pretrial Services Agency: Provided,*  
21 *That notwithstanding any other provision of law, all*  
22 *amounts under this heading shall be apportioned quarterly*  
23 *by the Office of Management and Budget and obligated and*  
24 *expended in the same manner as funds appropriated for*  
25 *salaries and expenses of other Federal agencies: Provided*

1 *further, That notwithstanding chapter 12 of title 40, United*  
2 *States Code, the Director may acquire by purchase, lease,*  
3 *condemnation, or donation, and renovate as necessary,*  
4 *Building Number 17, 1900 Massachusetts Avenue, South-*  
5 *east, Washington, District of Columbia, to house or super-*  
6 *vised offenders and defendants, with funds made available*  
7 *for this purpose in Public Law 107–96: Provided further,*  
8 *That the Director is authorized to accept and use gifts in*  
9 *the form of in-kind contributions of space and hospitality*  
10 *to support offender and defendant programs, and equip-*  
11 *ment and vocational training services to educate and train*  
12 *offenders and defendants: Provided further, That the Direc-*  
13 *tor shall keep accurate and detailed records of the accept-*  
14 *ance and use of any gift or donation under the previous*  
15 *proviso, and shall make such records available for audit and*  
16 *public inspection.*

17 *FEDERAL PAYMENT TO THE CHILDREN’S NATIONAL*  
18 *MEDICAL CENTER*

19 *For a Federal payment to the Children’s National*  
20 *Medical Center in the District of Columbia, \$5,000,000 for*  
21 *capital and equipment improvements.*

22 *ST. COLETTA OF GREATER WASHINGTON EXPANSION*  
23 *PROJECT*

24 *For a Federal contribution to St. Coletta of Greater*  
25 *Washington, Inc., for costs associated with the establishment*

1 *of a day program and comprehensive case management*  
2 *services for mentally retarded and multiple-handicapped*  
3 *adolescents and adults in the District of Columbia, includ-*  
4 *ing property acquisition and construction, \$2,000,000.*

5 *FEDERAL PAYMENT TO THE DEPARTMENT OF*  
6 *TRANSPORTATION*

7 *For a Federal Payment to the Department of Trans-*  
8 *portation in the District of Columbia, \$1,000,000: Pro-*  
9 *vided, That such funds will be used to implement Transpor-*  
10 *tation Systems Management initiatives and strategies rec-*  
11 *ommended in the October 2001 report by the Interagency*  
12 *Task Force of the National Capital Planning Commission*  
13 *in coordination with the National Capital Planning Com-*  
14 *mission.*

15 *FEDERAL PAYMENT FOR ANACOSTIA WATERFRONT*  
16 *INITIATIVE IN THE DISTRICT OF COLUMBIA*

17 *For a Federal payment to the District of Columbia*  
18 *for implementation of the Anacostia Waterfront Initiative,*  
19 *\$55,000,000, to remain available until expended, of which*  
20 *\$50,000,000 shall be for the District of Columbia Water and*  
21 *Sewer Authority for the Combined Sewer Overflow Long-*  
22 *Term Control Plan, to be used for system design and up-*  
23 *grades: Provided, That the District of Columbia Water and*  
24 *Sewer Authority provides a 100 percent match for the fiscal*  
25 *year 2003 Federal contribution of \$50,000,000 to begin im-*



1 *plementing the multi-year Long-Term Control Plan: Pro-*  
2 *vided further, That \$5,000,000 of the funds made available*  
3 *under this heading, shall be for environmental and infra-*  
4 *structure costs related to development of parks and recre-*  
5 *ation facilities on the Anacostia River.*

6 *FEDERAL PAYMENT FOR CAPITAL INFRASTRUCTURE*

7 *DEVELOPMENT*

8 *For a Federal payment to the District of Columbia*  
9 *for improvement of city-wide capital infrastructure,*  
10 *\$13,100,000, of which \$10,000,000 shall be for construction*  
11 *of interoperable communications infrastructure in the Uni-*  
12 *fied Communications Center; \$100,000 shall be for capital*  
13 *improvements of Eastern Market; and \$3,000,000 shall be*  
14 *to begin the design and construction of a state-of-the-art*  
15 *forensics laboratory.*

16 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR*

17 *FAMILY LITERACY*

18 *For a Federal payment to the District of Columbia,*  
19 *\$4,000,000, shall be for the Family Literacy Program to*  
20 *address the needs of literacy-challenged parents while en-*  
21 *dowing their children with an appreciation for literacy and*  
22 *strengthening familial ties.*

1 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR*  
2 *CHARTER SCHOOL FACILITIES*

3 *For a Federal Payment to the District of Columbia*  
4 *for development of Charter School facilities, \$20,000,000,*  
5 *to remain available until expended, to be allocated as fol-*  
6 *lows:*

7 (1) *ADMINISTRATION AND SUPPORT.—\$1,000,000*  
8 *for administration and contracting costs of the Office*  
9 *of Charter School Financing and Support to admin-*  
10 *ister the Credit Enhancement Fund for Public Char-*  
11 *ter Schools, the Direct Loan Program, and other pub-*  
12 *lic charter school financing programs and support*  
13 *services as requested by the Mayor and Council of the*  
14 *District of Columbia.*

15 (2) *CREDIT ENHANCEMENT FUND FOR PUBLIC*  
16 *CHARTER SCHOOLS.—\$5,000,000 to be deposited in,*  
17 *and administered through, the credit enhancement re-*  
18 *volving fund established under section 603(e) of the*  
19 *Student Loan Marketing Association Reorganization*  
20 *Act of 1996 (Public Law 104–208; 110 Stat. 3009–*  
21 *293), as amended by the Fiscal Year 2002 District of*  
22 *Columbia Appropriations Act (Public Law 107–96;*  
23 *115 Stat. 936) and this Act.*

24 (3) *DIRECT LOAN FUND FOR CHARTER SCHOOL*  
25 *IMPROVEMENT.—\$10,000,000 for a Direct Loan Fund*

1       *for Charter School Improvement, to be administered*  
 2       *by the Office of Charter School Financing and Sup-*  
 3       *port: Provided, That loans distributed to charter*  
 4       *schools from these funds shall not exceed \$2,000,000*  
 5       *per charter school.*

6           (4) *PER PUPIL ALLOCATION.*—\$4,000,000 shall  
 7       *be used by the District of Columbia to supplement the*  
 8       *per pupil facilities allocation to public charter schools*  
 9       *in fiscal year 2003: Provided, That the per pupil fa-*  
 10       *cilities allocation to public charter schools shall not be*  
 11       *less than \$1,500.*

12                           *ADMINISTRATIVE PROVISIONS*

13       *SEC. 6. CHARTER SCHOOL DEVELOPMENT. Section*  
 14       *603(e) of the Student Loan Marketing Association Reorga-*  
 15       *nization Act of 1996 (Public Law 104–208; 110 Stat. 3009–*  
 16       *293), as amended by section 153 of the District of Columbia*  
 17       *Appropriations Act, 2000, is amended by inserting the fol-*  
 18       *lowing new paragraphs—*

19           “(3) *OFFICE OF CHARTER SCHOOL FINANCING*  
 20       *AND SUPPORT.*—

21           “(A) *ESTABLISHMENT.*—*There is estab-*  
 22       *lished within the District of Columbia, under the*  
 23       *authority of the Department of Banking and Fi-*  
 24       *nancial Institutions, an Office of Public Charter*  
 25       *School Financing and Support.*

1                   “(B) *FUNCTIONS.*—*The office shall have the*  
2                   *following three functions—*

3                   “(i) *CREDIT ENHANCEMENT FUND.*—  
4                   *To administer the Credit Enhancement*  
5                   *Fund for Public Charter Schools.*

6                   “(ii) *DIRECT LOAN PROGRAM.*—*To ad-*  
7                   *minister the Direct Loan Program.*

8                   “(iii) *OTHER.*—*evelop, implement and*  
9                   *provide oversight for other public charter*  
10                  *school financing programs and support*  
11                  *services as requested by the Mayor and the*  
12                  *Council of the District of Columbia.*

13                  “(C) *CONTRACT AUTHORITY.*—*The functions*  
14                  *described in sections (1), (2) and (3) may be*  
15                  *provided by the Office of Public Charter School*  
16                  *Financing and Support or under contract with*  
17                  *a qualified provider.*

18                  “(4) *CREDIT ENHANCEMENT FUND FOR PUBLIC*  
19                  *CHARTER SCHOOLS.*—

20                  “(A) *ADMINISTRATION OF PROGRAM.*—*The*  
21                  *Credit Enhancement Fund for Charter Schools*  
22                  *shall be administered by the Office of Charter*  
23                  *School Financing and Support.*

1           “(B) *DISTRIBUTION OF AMOUNTS.*—Of the  
2           amounts in the credit enhancement fund estab-  
3           lished under paragraph (2)(B)—

4                   “(i) 50 percent shall be used to make  
5                   grants under subparagraph (B); and

6                   “(ii) 50 percent shall be used to make  
7                   grants under subparagraph (C).

8           “(5) *DIRECT LOAN FUND FOR CHARTER SCHOOL*  
9           *IMPROVEMENT.*—

10                   “(A) *ESTABLISHMENT.*—There is estab-  
11                   lished a Direct Loan Fund for Charter School  
12                   Improvement.

13                   “(B) *ADMINISTRATION OF PROGRAM.*—The  
14                   Direct Loan Fund for Charter School Improve-  
15                   ment shall be administered by the Office of Char-  
16                   ter School Financing and Support.

17                   “(C) *USE OF FUNDS.*—Funds distributed  
18                   under this paragraph shall be for construction,  
19                   purchase, renovation, and maintenance of char-  
20                   ter school facilities.

21                   “(D) *AMOUNT OF LOANS.*—Loans distrib-  
22                   uted under this paragraph shall not exceed  
23                   \$2,000,000 per charter school.

24                   “(E) *INTEREST AND TERMS.*—The Office of  
25                   Charter School Financing and Support shall de-

1           *termine what interest rates and terms apply to*  
2           *loans granted under this part. In determining*  
3           *the rates and terms of a loan granted to a char-*  
4           *ter school, the Office of Charter School Financing*  
5           *and Support should do its best to provide low in-*  
6           *terest options and flexible terms.*

7           “(F) *ELIGIBLE ENTITY.*—*To be eligible for*  
8           *a loan under this paragraph, an applicant shall*  
9           *be—*

10           “(i) *A public charter school approved*  
11           *pursuant to the School Reform Act by the*  
12           *Chartering Authority of the District of Co-*  
13           *lumbia.*

14           “(ii) *Meeting or exceeding its perform-*  
15           *ance goals as outlined in its originating*  
16           *charter.*

17           “(G) *USE OF PER PUPIL FACILITIES AL-*  
18           *LOWANCE IN REPAYMENT OF LOANS.*—*In repay-*  
19           *ing a loan granted under this paragraph, a debt-*  
20           *or may use facility maintenance funds granted*  
21           *to them by the District of Columbia Public*  
22           *Schools.”.*

23           *SEC. 7. REPORT TO CONGRESS.* *No later than April*  
24           *1, 2003, the Comptroller General shall prepare and submit*  
25           *to the Committees on Appropriations of the Senate and the*

1 *House of Representatives, a detailed analysis of the na-*  
2 *tional effort to establish adequate charter school facilities*  
3 *including a comparison to the efforts in the District of Co-*  
4 *lumbia.*

5       *SEC. 8. SURPLUS BUILDINGS. The Mayor of the Dis-*  
6 *trict of Columbia and the Chairman of the Council of the*  
7 *District of Columbia, in consultation with the General*  
8 *Services Administration, shall conduct an assessment of all*  
9 *buildings currently held in surplus and those that might*  
10 *be made available within one year of the date of enactment*  
11 *of this Act: Provided, That such assessment include a survey*  
12 *of the space available, a listing of appropriate uses, a list-*  
13 *ing of potential occupants, and the renovations or construc-*  
14 *tion necessary to accommodate proposed uses: Provided fur-*  
15 *ther, That within 180 days of enactment, the Mayor shall*  
16 *report to the Committees on Appropriations of the Senate*  
17 *and the House of Representatives the findings of such assess-*  
18 *ment along with a plan for occupying at least 50 percent*  
19 *of the space available at the time such report is submitted:*  
20 *Provided further, That assignments of space included in*  
21 *this plan shall be in compliance with preferences outlined*  
22 *in the D.C. School Reform Act.*

23       *SEC. 9. INCENTIVES TO PROMOTE THE ADOPTION OF*  
24 *CHILDREN. The Mayor of the District of Columbia, in ad-*  
25 *ministering funds provided under the heading "Federal*

1 *Payment for Incentives for Adoption of Children” in Public*  
2 *Law 106–113 (113 Stat. 1501), approved November 29,*  
3 *1999, as modified by Public Law 107–96 (115 Stat. 924),*  
4 *approved December 21, 2001, shall establish and fulfill the*  
5 *following performance measures within nine months of the*  
6 *date of enactment of this Act: (i) the Chief Financial Officer*  
7 *of the District of Columbia shall certify that not less than*  
8 *50 percent of the funds provided for attorney fees and home*  
9 *studies have been expended; (ii) the Mayor shall establish*  
10 *an outreach program to inform adoptive families and chil-*  
11 *dren without parents about the scholarship fund established*  
12 *with these funds; (iii) the Mayor shall establish the location,*  
13 *necessary personnel and mission of the adoptive family re-*  
14 *source center in the District of Columbia; (iv) the Mayor*  
15 *shall identify not less than 25 percent of the eligible children*  
16 *in the District of Columbia foster care system with special*  
17 *needs and obligate not less than 25 percent of the funds*  
18 *provided in Public Law 106–113 (113 Stat. 1501) for adop-*  
19 *tion incentives and support for children with special needs:*  
20 *Provided, That the Mayor of the District of Columbia and*  
21 *the Chairman of the Council of the District of Columbia*  
22 *shall provide quarterly reports beginning on the date of en-*  
23 *actment of this Act to the Committees on Appropriations*  
24 *of the Senate and the House of Representatives, detailing*  
25 *the expenditure of funds provided for the promotion of*



1 *adoption and performance in actually promoting adoption;*  
2 *and (v) the Mayor and Child and Family Services Agency*  
3 *of the District of Columbia shall increase the number of*  
4 *waiting children listed in the Child and Family Services*  
5 *Agency of the District of Columbia adoption photo-listing*  
6 *by 75 percent.*

7       *SEC. 10. SPECIAL EDUCATION ACCOUNTABILITY. The*  
8 *Chief Financial Officer of the District of Columbia shall*  
9 *require attorneys in special education cases brought under*  
10 *the Individuals with Disabilities Act (IDEA) in the District*  
11 *of Columbia to certify in writing that the attorney or rep-*  
12 *resentative rendered any and all services for which they re-*  
13 *ceive awards, including those received under a settlement*  
14 *agreement or as part of an administrative proceeding,*  
15 *under the IDEA from the District of Columbia: Provided,*  
16 *That as part of the certification, the Chief Financial Officer*  
17 *of the District of Columbia require all attorneys in IDEA*  
18 *cases to disclose any financial, corporate, legal, member-*  
19 *ships on boards of directors, or other relationships with any*  
20 *special education diagnostic services, schools, or other spe-*  
21 *cial education service providers to which the attorneys have*  
22 *referred any clients as part of this certification: Provided*  
23 *further, That the Chief Financial Officer shall prepare and*  
24 *submit quarterly reports to the Committees on Appropria-*  
25 *tions of the Senate and the House of Representatives on the*

1 *certification of and the amount paid by the government of*  
 2 *the District of Columbia, including the District of Columbia*  
 3 *Public Schools, to attorneys in cases brought under IDEA:*  
 4 *Provided further, That the Inspector General of the District*  
 5 *of Columbia may conduct investigations to determine the*  
 6 *accuracy of the certifications.*

7 *DISTRICT OF COLUMBIA FUNDS*

8 *OPERATING EXPENSES*

9 *DIVISION OF EXPENSES*

10 *The following amounts are appropriated for the Dis-*  
 11 *trict of Columbia for the current fiscal year out of the gen-*  
 12 *eral fund of the District of Columbia, except as otherwise*  
 13 *specifically provided: Provided, That notwithstanding any*  
 14 *other provision of law, except as provided in section 450A*  
 15 *of the District of Columbia Home Rule Act and section 119*  
 16 *of this Act (Public Law 93–198; D.C. Official Code, sec.*  
 17 *1–204.50a), the total amount appropriated in this Act for*  
 18 *operating expenses for the District of Columbia for fiscal*  
 19 *year 2003 under this heading shall not exceed the lesser of*  
 20 *the sum of the total revenues of the District of Columbia*  
 21 *for such fiscal year or \$6,433,359,000 (of which*  
 22 *\$3,783,948,000 shall be from local funds, \$1,824,578,000*  
 23 *shall be from Federal funds, and \$879,813,000 shall be from*  
 24 *private and other funds) and \$156,121,000 from intra-Dis-*  
 25 *trict funds: Provided further, That this amount may be in-*

1 *creased by proceeds of one-time transactions, which are ex-*  
2 *pendent for emergency or unanticipated operating or capital*  
3 *needs: Provided further, That such increases shall be ap-*  
4 *proved by enactment of local District law and shall comply*  
5 *with all reserve requirements contained in the District of*  
6 *Columbia Home Rule Act as amended by this Act: Provided*  
7 *further, That the Chief Financial Officer of the District of*  
8 *Columbia shall take such steps as are necessary to assure*  
9 *that the District of Columbia meets these requirements, in-*  
10 *cluding the apportioning by the Chief Financial Officer of*  
11 *the appropriations and funds made available to the District*  
12 *during fiscal year 2003, except that the Chief Financial Of-*  
13 *ficer may not reprogram for operating expenses any funds*  
14 *derived from bonds, notes, or other obligations issued for*  
15 *capital projects.*

16 *GOVERNMENTAL DIRECTION AND SUPPORT*

17 *Governmental direction and support, \$295,136,000*  
18 *(including \$225,234,000 from local funds, \$51,554,000 from*  
19 *Federal funds, and \$18,348,000 from other funds): Pro-*  
20 *vided, That not to exceed \$2,500 for the Mayor, \$2,500 for*  
21 *the Chairman of the Council of the District of Columbia,*  
22 *and \$2,500 for the City Administrator shall be available*  
23 *from this appropriation for official purposes, and \$2,500*  
24 *for the Office of the Chief Financial Officer: Provided fur-*  
25 *ther, That any program fees collected from the issuance of*

1 *debt shall be available for the payment of expenses of the*  
2 *debt management program of the District of Columbia: Pro-*  
3 *vided further, That no revenues from Federal sources shall*  
4 *be used to support the operations or activities of the State-*  
5 *hood Commission and Statehood Compact Commission:*  
6 *Provided further, That the District of Columbia shall iden-*  
7 *tify the sources of funding for Admission to Statehood from*  
8 *its own locally-generated revenues: Provided further, That*  
9 *notwithstanding any other provision of law, or Mayor's*  
10 *Order 86-45, issued March 18, 1986, the Office of the Chief*  
11 *Technology Officer's delegated small purchase authority*  
12 *shall be \$500,000: Provided further, That the District of Co-*  
13 *lumbia government may not require the Office of the Chief*  
14 *Technology Officer to submit to any other procurement re-*  
15 *view process, or to obtain the approval of or be restricted*  
16 *in any manner by any official or employee of the District*  
17 *of Columbia government, for purchases that do not exceed*  
18 *\$500,000: Provided further, That of all funds in the District*  
19 *of Columbia Antitrust Fund established pursuant to section*  
20 *2 of the District of Columbia Antitrust Act of 1980, effective*  
21 *March 5, 1981 (D.C. Law 3-169; D.C. Official Code § 28-*  
22 *4516), an amount not to exceed \$500,000, of all funds in*  
23 *the Antifraud Fund established pursuant to section 820 of*  
24 *the District of Columbia Procurement Practices Act of 1985,*  
25 *effective February 21, 1986 (D.C. Law 6-85; D.C. Official*

1 *Code § 2–308.20), an amount not to exceed \$100,000, and*  
2 *of all funds in the District of Columbia Consumer Protec-*  
3 *tion Fund established pursuant to section 1402 of the Dis-*  
4 *trict of Columbia Budget Support Act for Fiscal Year 2001,*  
5 *effective October 19, 2000 (D.C. Law 13–172; D.C. Official*  
6 *Code § 28–3911), an amount not to exceed \$910,000, are*  
7 *hereby made available for the use of the Office of the Cor-*  
8 *poration Counsel of the District of Columbia until Sep-*  
9 *tember 30, 2004, in accordance with the statutes that estab-*  
10 *lished these funds: Provided further, That \$15,000,000, from*  
11 *funds appropriated earlier in this Act as a Federal Pay-*  
12 *ment to the Chief Financial Officer of the District of Colum-*  
13 *bia, shall be administered by the Chief Financial Officer*  
14 *for education, security, economic development, and health*  
15 *initiatives in the District of Columbia.*

16 *ECONOMIC DEVELOPMENT AND REGULATION*

17 *Economic development and regulation, \$258,539,000*  
18 *(including \$64,553,000 from local funds, \$97,796,000 from*  
19 *Federal funds, and \$96,190,000 from other funds), of which*  
20 *\$15,000,000 collected by the District of Columbia in the*  
21 *form of BID tax revenue shall be paid to the respective*  
22 *BIDs pursuant to the Business Improvement Districts Act*  
23 *of 1996 (D.C. Law 11–134; D.C. Official Code, sec. 2–*  
24 *1215.01 et seq.), and the Business Improvement Districts*  
25 *Amendment Act of 1997 (D.C. Law 12–26; D.C. Official*

1 *Code, sec. 2-1215.15 et seq.): Provided, That such funds are*  
2 *available for acquiring services provided by the General*  
3 *Services Administration: Provided further, That Business*  
4 *Improvement Districts shall be exempt from taxes levied by*  
5 *the District of Columbia: Provided further, That \$725,400,*  
6 *of which no amount may be expended for administrative*  
7 *expenses, shall be available to Department of Employment*  
8 *Services when the Council Committee on Public Services*  
9 *approves a spending plan prepared and submitted, by the*  
10 *agency, to the Committee on Public Services for its ap-*  
11 *proval.*

12 *PUBLIC SAFETY AND JUSTICE*

13 *Public safety and justice, \$639,892,000 (including*  
14 *\$620,039,000 from local funds, \$11,329,000 from Federal*  
15 *funds, and \$8,524,000 from other funds): Provided, That*  
16 *not to exceed \$500,000 shall be available from this appro-*  
17 *priation for the Chief of Police for the prevention and detec-*  
18 *tion of crime: Provided further, That not less than \$240,000*  
19 *shall be for the Corrections Information Council, established*  
20 *by section 11201(g) of the National Capital Revitalization*  
21 *and Self-Government Improvement Act of 1997, approved*  
22 *August 5, 1997 (111 Stat. 736; D.C. Official Code, sec. 24-*  
23 *101(h)), to support its operations and perform its duties;*  
24 *not less than \$169,000 shall be for the Criminal Justice Co-*  
25 *ordinating Council, established by the Criminal Justice Co-*

1 *ordinating Council for the District of Columbia Establish-*  
 2 *ment Act of 2001, effective October 3, 2001 (D.C. Law 14-*  
 3 *28; D.C. Official Code, sec. 22-4231 et seq.), to support its*  
 4 *operations and perform its duties: Provided further, That*  
 5 *the Mayor shall reimburse the District of Columbia Na-*  
 6 *tional Guard for expenses incurred in connection with serv-*  
 7 *ices that are performed in emergencies by the National*  
 8 *Guard in a militia status and are requested by the Mayor,*  
 9 *in amounts that shall be jointly determined and certified*  
 10 *as due and payable for these services by the Mayor and the*  
 11 *Commanding General of the District of Columbia National*  
 12 *Guard: Provided further, That such sums as may be nec-*  
 13 *essary for reimbursement to the District of Columbia Na-*  
 14 *tional Guard under the preceding proviso shall be available*  
 15 *from this appropriation, and the availability of the sums*  
 16 *shall be deemed as constituting payment in advance for*  
 17 *emergency services involved.*

18 *PUBLIC EDUCATION SYSTEM*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *Public education system, including the development of*  
 21 *national defense education programs, \$1,220,201,000 (in-*  
 22 *cluding \$980,206,000 from local funds, \$208,870,000 from*  
 23 *Federal funds, \$31,525,000 from other funds), and an addi-*  
 24 *tional amount, not to exceed \$27,000,000, which may be*  
 25 *transferred from the Medicaid and Special Education Re-*

1 *form Fund, established by the Medicaid and Special Edu-*  
2 *cation Reform Fund Establishment Act of 2002, approved*  
3 *by the Council of the District of Columbia on 1st reading*  
4 *on May 7, 2002 (Bill 14–609): to be allocated as follows:*

5           (1) *PUBLIC SCHOOLS FOR THE DISTRICT OF CO-*  
6 *LUMBIA.—\$903,157,000 (including \$743,715,000 from*  
7 *local funds, \$147,800,000 from Federal funds,*  
8 *\$11,642,000 from other funds, for the public schools of*  
9 *the District of Columbia), and an additional amount,*  
10 *not to exceed \$27,000,000 in local funds, which may*  
11 *be transferred from the Medicaid and Special Edu-*  
12 *cation Reform Fund, established by the Medicaid and*  
13 *Special Education Reform Fund Establishment Act of*  
14 *2002, approved by the Council of the District of Co-*  
15 *lumbia on 1st reading on May 7, 2002 (Bill 14–609):*  
16 *Provided, That notwithstanding any other provision*  
17 *of law, rule, or regulation, the evaluation process and*  
18 *instruments for evaluating District of Columbia Pub-*  
19 *lic School employees shall be a non-negotiable item for*  
20 *collective bargaining purposes: Provided further, That*  
21 *this appropriation shall not be available to subsidize*  
22 *the education of any nonresident of the District of Co-*  
23 *lumbia at any District of Columbia public elemen-*  
24 *tary and secondary school during fiscal year 2003*  
25 *unless the nonresident pays tuition to the District of*



1        *Columbia at a rate that covers 100 percent of the*  
2        *costs incurred by the District of Columbia which are*  
3        *attributable to the education of the nonresident (as es-*  
4        *tablished by the Superintendent of the District of Co-*  
5        *lumbia Public Schools): Provided further, That not-*  
6        *withstanding the amounts otherwise provided under*  
7        *this heading or any other provision of law, there shall*  
8        *be appropriated to the District of Columbia Public*  
9        *Schools on July 1, 2003, an amount equal to 10 per-*  
10       *cent of the total amount provided for the District of*  
11       *Columbia Public Schools in the proposed budget of the*  
12       *District of Columbia for fiscal year 2004 (as sub-*  
13       *mitted to Congress), and the amount of such payment*  
14       *shall be chargeable against the final amount provided*  
15       *for the District of Columbia Public Schools under the*  
16       *District of Columbia Appropriations Act, 2004: Pro-*  
17       *vided further, That the District of Columbia Public*  
18       *Schools shall not spend less than \$496,000,000 in the*  
19       *“Schools” responsibility centers, including 5100 (Ele-*  
20       *mentary Schools), 6300 (Middle/Junior High*  
21       *Schools), 7100 (Senior High Schools), and 7700*  
22       *(Charter and Private Schools): Provided further, That*  
23       *\$16,800,000 shall be for negotiated teacher wage in-*  
24       *creases.*

1           (2) *THE STATE EDUCATION OFFICE.—*  
2           \$49,687,000 (including \$22,594,000 from local funds,  
3           \$26,917,000 from Federal funds, \$176,000 from other  
4           funds), shall be available for the State Education Of-  
5           fice: Provided, That of the amounts provided to the  
6           State Education Office, \$500,000 from local funds  
7           shall remain available until June 30, 2004 for an  
8           audit of the student enrollment of each District of Co-  
9           lumbia Public School and of each public charter  
10          school.

11          (3) *THE DISTRICT OF COLUMBIA PUBLIC CHAR-*  
12          *TER SCHOOLS.—*\$132,865,000 from local funds shall  
13          be available for public charter schools: Provided, That  
14          there shall be quarterly disbursement of funds to the  
15          District of Columbia public charter schools, with the  
16          first payment to occur within 15 days of the begin-  
17          ning of each fiscal year: Provided further, That if the  
18          entirety of this allocation has not been provided as  
19          payments to any public charter school currently in  
20          operation through the per pupil funding formula, the  
21          funds shall be available in accordance with the School  
22          Reform Act of 1995 (Public Law 105–100, sec. 172;  
23          D.C. Official Code, sec. 38–1804.03(b)(2)): Provided  
24          further, That of the amounts made available to public  
25          charter schools, \$25,000 shall be made available to the

1     *Office of the Chief Financial Officer as authorized by*  
2     *D.C. Official Code, sec. 38-1804.03(b)(6): Provided*  
3     *further, That \$589,000 of this amount shall be avail-*  
4     *able to the District of Columbia Public Charter*  
5     *School Board for administrative costs: Provided fur-*  
6     *ther, That notwithstanding the amounts otherwise*  
7     *provided under this heading or any other provision of*  
8     *law, there shall be appropriated to the District of Co-*  
9     *lumbia public charter schools on July 1, 2003, an*  
10    *amount equal to 25 percent of the total amount pro-*  
11    *vided for payments to public charter schools in the*  
12    *proposed budget of the District of Columbia for fiscal*  
13    *year 2004 (as submitted to Congress), and the amount*  
14    *of such payment shall be chargeable against the final*  
15    *amount provided for such payments under the Dis-*  
16    *trict of Columbia Appropriations Act, 2004.*

17           (4) *THE UNIVERSITY OF THE DISTRICT OF CO-*  
18    *LUMBIA.—\$83,990,000 (including \$52,272,000 from*  
19    *local funds, \$12,668,000 from Federal funds, and*  
20    *\$19,050,000 from other funds) shall be available for*  
21    *the University of the District of Columbia: Provided,*  
22    *That this appropriation shall not be available to sub-*  
23    *sidize the education of nonresidents of the District of*  
24    *Columbia at the University of the District of Colum-*  
25    *bia, unless the Board of Trustees of the University of*

1        *the District of Columbia adopts, for the fiscal year*  
2        *ending September 30, 2003, a tuition rate schedule*  
3        *that will establish the tuition rate for nonresident stu-*  
4        *dents at a level no lower than the nonresident tuition*  
5        *rate charged at comparable public institutions of*  
6        *higher education in the metropolitan area: Provided*  
7        *further, That notwithstanding the amounts otherwise*  
8        *provided under this heading or any other provision of*  
9        *law, there shall be appropriated to the University of*  
10       *the District of Columbia on July 1, 2003, an amount*  
11       *equal to 10 percent of the total amount provided for*  
12       *the University of the District of Columbia in the pro-*  
13       *posed budget of the District of Columbia for fiscal*  
14       *year 2004 (as submitted to Congress), and the amount*  
15       *of such payment shall be chargeable against the final*  
16       *amount provided for the University of the District of*  
17       *Columbia under the District of Columbia Appropria-*  
18       *tions Act, 2004: Provided further, That not to exceed*  
19       *\$2,500 for the President of the University of the Dis-*  
20       *trict of Columbia shall be available from this appro-*  
21       *riation for official purposes.*

22                (5) *THE DISTRICT OF COLUMBIA PUBLIC LI-*  
23        *BRARY.—\$28,150,000 (including \$27,003,000 from*  
24        *local funds, \$610,000 from Federal funds and*  
25        *\$537,000 other funds) shall be available for the Public*



1           “(A) *unexpended and unobligated amounts*  
2           *appropriated from local funds for public charter*  
3           *schools for each fiscal year that reverted to the*  
4           *general fund of the District of Columbia: Pro-*  
5           *vided, That the amount of funds deposited shall*  
6           *not be an amount greater than is necessary to*  
7           *reach a balance of \$10,000,000 from the fiscal*  
8           *year 2002 appropriation, and \$5,000,000 from*  
9           *fiscal year 2003 and succeeding years appropria-*  
10           *tion; and*

11           “(B) *any interest earned on such amounts,*  
12           *to carry out the purposes described in paragraph*  
13           *(3) of this subsection.*

14           “(3) *PURPOSES OF FUND.—The Charter School*  
15           *Fund shall be used to carry out the activities to assist*  
16           *public charter schools in the District of Columbia in*  
17           *providing funding in such cases where the total au-*  
18           *dated enrollment, including enrollment in special*  
19           *needs categories, exceeds that of the student enrollment*  
20           *on which the annual appropriation is based in that*  
21           *fiscal year.*

22           “(4) *EXPENDITURES FROM FUND.—*

23           “(A) *EXPENDITURES FROM THE FUND FOR*  
24           *ENROLLMENT IN EXCESS OF ANNUAL PUBLIC*  
25           *CHARTER SCHOOL PROJECTIONS.—Funds shall*

1           *be available from the Charter School Fund for*  
 2           *any public charter school operating in that fiscal*  
 3           *year, in such cases where the total audited en-*  
 4           *rollment, including enrollment in special needs*  
 5           *categories, exceeds that of the student enrollment*  
 6           *on which the annual appropriation is based in*  
 7           *that fiscal year.*

8           “(B) *FORM OF PAYMENT.*—*Payments under*  
 9           *this subsection shall be made by electronic funds*  
 10          *transfer from the Charter School Fund to a bank*  
 11          *designated by a public charter school.*

12          “(5) *AUTHORIZATION OF APPROPRIATIONS.*—  
 13          *There are authorized to be appropriated to the Chief*  
 14          *Financial Officer of the District of Columbia such*  
 15          *sums as may be necessary to carry out the purposes*  
 16          *of this subsection for each fiscal year.”.*

17                               *HUMAN SUPPORT SERVICES*

18                               *(INCLUDING TRANSFER OF FUNDS)*

19          *Human support services, \$2,500,297,000 (including*  
 20          *\$1,069,630,000 from local funds, \$1,377,680,000 from Fed-*  
 21          *eral funds, and \$52,987,000 from other funds): Provided,*  
 22          *That an additional amount of \$23,867,000 from funds ap-*  
 23          *propriated in this Act under the heading “Tobacco Settle-*  
 24          *ment Trust Fund Transfer Payment”, which may be trans-*  
 25          *ferred from the Medicaid and Special Education Reform*

1 *Fund, established by the Medicaid and Special Education*  
2 *Reform Fund Establishment Act of 2002, approved by the*  
3 *Council of the District of Columbia on 1st reading on May*  
4 *7, 2002 (Bill 14-609), of which, not to exceed, \$7,072,000*  
5 *for Child and Family Services, \$5,795,000 for the Depart-*  
6 *ment of Human Services, and \$1,000,000 for the Depart-*  
7 *ment of Health: Provided further, That \$49,867,000, to re-*  
8 *main available until expended, shall be deposited in the*  
9 *Medicaid and Special Education Reform Fund for the pur-*  
10 *pose of ensuring there are adequate resources available to*  
11 *support Medicaid costs and revenue shortfalls: Provided fur-*  
12 *ther, That \$27,959,000, to remain available until expended,*  
13 *shall be available solely for District of Columbia employees'*  
14 *disability compensation: Provided further, That \$7,000,000,*  
15 *to remain available until expended, shall be deposited in*  
16 *the Addiction Recovery Fund, established pursuant to sec-*  
17 *tion 5 of the Choice in Drug Treatment Act of 2000, effective*  
18 *July 8, 2000 (D.C. Law 13-146; D.C. Official Code, sec.*  
19 *7-3004), and used exclusively for the purpose of the Drug*  
20 *Treatment Choice Program, established pursuant to section*  
21 *4 of the Choice in Drug Treatment Act of 2000 (D.C. Law*  
22 *13-146; D.C. Official Code, sec. 7-3003): Provided further,*  
23 *That no less than \$2,000,000 shall be available exclusively*  
24 *for the purpose of funding the pilot substance abuse pro-*  
25 *gram for youths 16 through 21 years of age established by*



1 *section 4212 of the Pilot Substance Abuse Program for*  
2 *Youth Act of 2001, effective October 3, 2001 (D.C. Law 14–*  
3 *28; D.C. Official Code, sec. 7–3101): Provided further, That*  
4 *\$7,309,000 of this appropriation, to remain available until*  
5 *expended, shall be deposited in the Interim Disability As-*  
6 *sistance Fund to be used exclusively for the Interim Dis-*  
7 *ability Assistance program established by section 201 of the*  
8 *District of Columbia Public Assistance Act of 1982, effective*  
9 *April 6, 1982 (D.C. Law 4–101; D.C. Official Code, sec.*  
10 *4–202.01), and the purposes for that program set forth in*  
11 *section 407 of the District of Columbia Public Assistance*  
12 *Act of 1982, effective April 3, 2001 (D.C. Law 13–252; D.C.*  
13 *Official Code, sec. 4–204.07): Provided further, That no less*  
14 *than \$500,000 shall be available exclusively for the Mobile*  
15 *Crisis Intervention Program for Kids: Provided further,*  
16 *That the paragraph under the heading “Human Support*  
17 *Services” in Public Law 107–96, approved December 21,*  
18 *2001, is amended to add the following: “: Provided further,*  
19 *That \$2,468,000 shall remain available until expended for*  
20 *Interim Disability Assistance”:* *Provided further, That*  
21 *\$4,000,000, from funds previously appropriated in this Act*  
22 *as a Federal Payment for Family Literacy, shall be used*  
23 *for the Family Literacy Program in the District of Colum-*  
24 *bia.*

1 *PUBLIC WORKS*

2 *Public works, including rental of one passenger-car-*  
3 *rying vehicle for use by the Mayor and three passenger-car-*  
4 *rying vehicles for use by the Council of the District of Co-*  
5 *lumbia and leasing of passenger-carrying vehicles,*  
6 *\$324,828,000 (including \$309,834,000 from local funds,*  
7 *\$4,669,000 from Federal funds, and \$10,325,000 from other*  
8 *funds): Provided, That this appropriation shall not be*  
9 *available for collecting ashes or miscellaneous refuse from*  
10 *hotels and places of business.*

11 *WORKFORCE INVESTMENTS*

12 *For workforce investments, \$54,186,000 from local*  
13 *funds, to be transferred by the Mayor of the District of Co-*  
14 *lumbia within the various appropriation headings in this*  
15 *Act for which employees are properly payable.*

16 *RESERVE*

17 *For replacement of funds expended, if any, during fis-*  
18 *cal year 2002 from the Reserve established by section 202(j)*  
19 *of the District of Columbia Financial Responsibility and*  
20 *Management Assistance Act of 1995, Public Law 104–8,*  
21 *\$70,000,000 from local funds.*

22 *EMERGENCY AND CONTINGENCY RESERVE FUNDS*

23 *For the Emergency and Contingency Reserve Funds*  
24 *established under section 450A(b) of the District of Colum-*  
25 *bia Home Rule Act (Public Law 93–198; D.C. Official*

1 *Code, sec. 1-204.50a(b)), the Mayor may deposit from local*  
2 *funds the proceeds required to maintain balance require-*  
3 *ments pursuant to section 159(a) of Public Law 106-522*  
4 *and section 404(c) of Public Law 106-554.*

5 *REPAYMENT OF LOANS AND INTEREST*

6 *For payment of principal, interest, and certain fees*  
7 *directly resulting from borrowing by the District of Colum-*  
8 *bia to fund District of Columbia capital projects as author-*  
9 *ized by sections 462, 475, and 490 of the District of Colum-*  
10 *bia Home Rule Act (Public Law 93-198; D.C. Official*  
11 *Code, secs. 1-204.62, 1-204.75, 1-204.90), \$267,451,000*  
12 *from local funds: Provided, That for equipment leases, the*  
13 *Mayor may finance \$14,300,000 of equipment cost, plus*  
14 *cost of issuance not to exceed 2 percent of the par amount*  
15 *being financed on a lease purchase basis with a maturity*  
16 *not to exceed 5 years.*

17 *REPAYMENT OF GENERAL FUND RECOVERY DEBT*

18 *For the purpose of eliminating the \$331,589,000 gen-*  
19 *eral fund accumulated deficit as of September 30, 1990,*  
20 *\$39,300,000 from local funds, as authorized by section*  
21 *461(a) of the District of Columbia Home Rule Act, (105*  
22 *Stat. 540; D.C. Official Code, sec. 1-204.61(a)).*

23 *PAYMENT OF INTEREST ON SHORT-TERM BORROWING*

24 *For payment of interest on short-term borrowing,*  
25 *\$1,000,000 from local funds.*



1 of 2000, effective October 20, 1999 (D.C. Law 13–38; D.C.  
2 Official Code sec. 7–1811.01 et. seq), there is transferred the  
3 amount available pursuant thereto, but not to exceed  
4 \$50,867,000 to the Tobacco Settlement Trust Fund estab-  
5 lished pursuant to section 2302 of the Tobacco Settlement  
6 Trust Fund Establishment Act of 1999 (D.C. Official Code,  
7 sec. 7–1811.01) and the Tobacco Settlement Financing Act  
8 of 2000, effective October 19, 2000 (D.C. Law 13–172; D.C.  
9 Official Code, sec. 7–1831.03 et seq.): Provided, That no  
10 more than \$27,000,000 is authorized to be transferred to  
11 the Public Education System: Provided further, That no  
12 more than \$23,867,000 is authorized to be transferred to  
13 Human Support Services: Provided further, that  
14 \$50,867,000 shall remain available until expended: Pro-  
15 vided further, That such transfers are subject to local law.

16 *EMERGENCY PREPAREDNESS*

17 *For necessary expenses, as determined by the Mayor*  
18 *of the District of Columbia in written consultation with the*  
19 *elected county or city officials of surrounding jurisdictions,*  
20 *\$15,000,000, from funds appropriated earlier in this Act*  
21 *as a Federal Payment, to remain available until expended,*  
22 *to reimburse the District of Columbia for the costs of public*  
23 *safety expenses related to security events in the District of*  
24 *Columbia and for the costs of providing support to respond*  
25 *to immediate and specific terrorist threats or attacks in the*

1 *District of Columbia or surrounding jurisdictions: Pro-*  
2 *vided, That the Chief Financial Officer of the District of*  
3 *Columbia shall provide a report, within 15 days of an ex-*  
4 *penditure, to the President and to the Committees on Ap-*  
5 *propriations of the Senate and the House of Representa-*  
6 *tives, detailing any expenditure of these funds for public*  
7 *safety purposes.*

8 *PAY-AS-YOU-GO CAPITAL*

9 *For Pay-As-You-Go Capital funds in lieu of capital*  
10 *financing, \$16,750,000, to be transferred to the Capital*  
11 *Fund, subject to the “Criteria for Spending Pay-as-You-Go*  
12 *Funding Amendment Act of 2002, approved by the Council*  
13 *of the District of Columbia on 1st reading, May 7, 2002*  
14 *(Title 34 of Bill 14–609). Pursuant to that Act, there are*  
15 *authorized to be transferred from Pay-As-You-Go Capital*  
16 *funds to other headings of this Act, as necessary to carry*  
17 *out the purposes of that Act.*

18 *CAPITAL INFRASTRUCTURE DEVELOPMENT*

19 *For improvement of city-wide capital infrastructure in*  
20 *the District of Columbia, \$13,100,000, from funds appro-*  
21 *priated earlier in this Act as a Federal payment, of which*  
22 *\$10,000,000 shall be for construction of interoperable com-*  
23 *munications infrastructure in the Unified Communications*  
24 *Center; \$100,000 shall be for capital improvements of East-*

1 *ern Market; \$3,000,000 shall be to begin the design and con-*  
2 *struction of a state-of-the-art forensics laboratory.*

3 *ADMINISTRATIVE PROVISIONS*

4 *SEC. 12. CHARTER SCHOOL FUND TRANSFER. Not-*  
5 *withstanding any other provision of law, \$5,000,000 from*  
6 *the New Charter School Fund (renamed by this Act, “Char-*  
7 *ter School Fund”), established pursuant to the School Re-*  
8 *form Act of 1995 (Public Law 105–100, sec. 172; 111 Stat.*  
9 *2191, 2192, 2193; D.C. Official Code, sec. 38–1804.03(b)),*  
10 *shall be deposited, not later than January 1, 2003, into the*  
11 *credit enhancement revolving fund, established pursuant to*  
12 *the Student Loan Marketing Association Reorganization*  
13 *Act of 1996 (Public Law 104–208; 110 Stat. 3009–293, as*  
14 *amended by Public Law 107–96, Fiscal Year 2002 District*  
15 *of Columbia Appropriations Act).*

16 *SEC. 13. REPROGRAMMING DURING FISCAL YEAR*  
17 *THAT IS NOT A CONTROL YEAR. Section 47–363(a–1) of the*  
18 *District of Columbia Official Code is amended by adding*  
19 *new paragraphs (3), (4), and (5) to read as follows:*

20 *“(3)(A) After the adoption of the annual budget*  
21 *for a fiscal year that is not a control year, no re-*  
22 *programming of amounts in the budget may occur*  
23 *unless:*

1           “(i) The Mayor submits a request for such  
2           reprogramming to the Chief Financial Officer of  
3           the District of Columbia;

4           “(ii) The Chief Financial Officer transmits  
5           to the Council a statement certifying the avail-  
6           ability of the funds for such reprogramming and  
7           containing an analysis of the effect of the pro-  
8           posed reprogramming on the financial plan and  
9           budget for the fiscal year; and

10          “(iii) The Council approves the request after  
11          receiving the statement described in sub-subpara-  
12          graph (ii) of this subparagraph from the Chief  
13          Financial Officer.

14          “(B) If the Chief Financial Officer does not  
15          transmit to the Council the statement described in  
16          subparagraph (A)(ii) of this paragraph during the  
17          15-day period, which begins on the date the Chief Fi-  
18          nancial Officer receives the request for reprogram-  
19          ming from the Mayor, the Chief Financial Officer  
20          shall be deemed to have transmitted the statement to  
21          the Council. With written notice to the Mayor and  
22          Council, the Chief Financial Officer may extend the  
23          time period to transmit the statement and analysis to  
24          the Council, not to exceed 10 additional days.



1           “(4) After the adoption of the annual budget for  
2 a fiscal year that is a non-control year, no re-  
3 programming of amounts in the budget may occur  
4 unless the Mayor submits to the Council a request for  
5 such reprogramming and the Council approves the re-  
6 quest, but only if any additional expenditures pro-  
7 vided under such request for an activity are offset by  
8 reductions in expenditures for another activity.

9           “(5) For the purposes of this subsection, the term  
10 control year has the meaning given such term in sec-  
11 tion 305(4) of the District of Columbia Financial Re-  
12 sponsibility and Management Assistance Act of 1995,  
13 approved April 17, 1995 (109 Stat. 152; D.C. Official  
14 Code, sec. 47-393(4)).”.

15       **SEC. 14. COLLECTIVE BARGAINING REPRESENTATION.**  
16 *From the funds appropriated under this act, any agency*  
17 *of the District government may transfer to the Office of*  
18 *Labor Relations and Collective Bargaining (OLRCB) such*  
19 *amounts as may be necessary to pay for representation by*  
20 *OLRCB in third-party cases, grievances, and dispute reso-*  
21 *lution, pursuant to an intra-District agreement with*  
22 *OLRCB. These amounts shall be available for use by*  
23 *OLRCB to reimburse the cost of providing the representa-*  
24 *tion.*

1                    *ENTERPRISE AND OTHER FUNDS*2                    *WATER AND SEWER AUTHORITY*

3            *For operation of the Water and Sewer Authority,*  
4 *\$253,743,000 from other funds of which \$18,093,000 shall*  
5 *be apportioned for repayment to the District's debt service*  
6 *fund for repayment of loans and interest incurred on cap-*  
7 *ital improvement projects.*

8            *For construction projects, \$342,458,000, in the fol-*  
9 *lowing capital programs: \$213,669,000 for the Blue Plains*  
10 *Wastewater Treatment Plant, \$24,539,000 for the sewer*  
11 *program, \$56,561,000 for the combined sewer program, of*  
12 *which \$50,000,000 is from funds appropriated earlier in*  
13 *this Act as a Federal Payment for Anacostia Waterfront*  
14 *Initiative, \$5,635,000 for the stormwater program,*  
15 *\$34,054,000 for the water program, \$8,000,000 for the cap-*  
16 *ital equipment program: Provided, That the requirements*  
17 *and restrictions that are applicable to general fund capital*  
18 *improvements projects and set forth in this Act under the*  
19 *Capital Outlay appropriation account shall apply to*  
20 *projects approved under this appropriation account.*

21                    *WASHINGTON AQUEDUCT*

22            *For operation of the Washington Aqueduct,*  
23 *\$57,847,000 from other funds.*

1     *STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND*

2           *For operation of the Stormwater Permit Compliance*  
3 *Enterprise Fund, \$3,100,000 from other funds.*

4     *LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND*

5           *For the Lottery and Charitable Games Enterprise*  
6 *Fund, established by the District of Columbia Appropria-*  
7 *tion Act, 1982 (95 Stat. 1174, 1175; Public Law 97-91),*  
8 *for the purpose of implementing the Law to Legalize Lot-*  
9 *teries, Daily Numbers Games, and Bingo and Raffles for*  
10 *Charitable Purposes in the District of Columbia (D.C. Law*  
11 *3-172; D.C. Official Code, sec. 3-1301 et seq. and sec. 22-*  
12 *1716 et seq.), \$232,881,000: Provided, That the District of*  
13 *Columbia shall identify the source of funding for this ap-*  
14 *propriation title from the District's own locally generated*  
15 *revenues: Provided further, That no revenues from Federal*  
16 *sources shall be used to support the operations or activities*  
17 *of the Lottery and Charitable Games Control Board.*

18           *SPORTS AND ENTERTAINMENT COMMISSION*

19           *For the Sports and Entertainment Commission,*  
20 *\$20,510,000, of which \$15,510,000 is from other funds and*  
21 *\$5,000,000 is from funds appropriated earlier in this Act*  
22 *as a Federal Payment for Anacostia Waterfront Initiative.*

23           *DISTRICT OF COLUMBIA RETIREMENT BOARD*

24           *For the District of Columbia Retirement Board, estab-*  
25 *lished by section 121 of the District of Columbia Retirement*

1 *Reform Act of 1979 (93 Stat. 866; D.C. Official Code, sec.*  
 2 *1-711), \$13,388,000 from the earnings of the applicable re-*  
 3 *tirement funds to pay legal, management, investment, and*  
 4 *other fees and administrative expenses of the District of Co-*  
 5 *lumbia Retirement Board: Provided, That the District of*  
 6 *Columbia Retirement Board shall provide to the Congress*  
 7 *and to the Council of the District of Columbia a quarterly*  
 8 *report of the allocations of charges by fund and of expendi-*  
 9 *tures of all funds: Provided further, That the District of*  
 10 *Columbia Retirement Board shall provide the Mayor, for*  
 11 *transmittal to the Council of the District of Columbia, an*  
 12 *itemized accounting of the planned use of appropriated*  
 13 *funds in time for each annual budget submission and the*  
 14 *actual use of such funds in time for each annual audited*  
 15 *financial report.*

16 *WASHINGTON CONVENTION CENTER ENTERPRISE FUND*

17 *For the Washington Convention Center Enterprise*  
 18 *Fund, \$78,700,000 from other funds.*

19 *NATIONAL CAPITAL REVITALIZATION CORPORATION*

20 *For the National Capital Revitalization Corporation,*  
 21 *\$6,745,000 from other funds.*

22 *CAPITAL OUTLAY*

23 *(INCLUDING RESCISSIONS)*

24 *For construction projects, an increase of*  
 25 *\$1,235,518,908 of which \$253,991,128 shall be from a re-*

1 *scission from local funds appropriated under this heading*  
2 *in prior fiscal years, for a net amount of \$981,527,780 to*  
3 *remain available until expended: Provided, That funds for*  
4 *use of each capital project implementing agency shall be*  
5 *managed and controlled in accordance with all procedures*  
6 *and limitations established under the Financial Manage-*  
7 *ment System: Provided further, That all funds provided by*  
8 *this appropriation title shall be available only for the spe-*  
9 *cific projects and purposes intended: Provided further, That*  
10 *the District of Columbia Public Libraries shall allocate cap-*  
11 *ital funds, from existing resources, in fiscal year 2003 for*  
12 *the planning and design of a new Francis Gregory Public*  
13 *Library.*

#### 14 *GENERAL PROVISIONS*

15 *SEC. 101. Whenever in this Act, an amount is specified*  
16 *within an appropriation for particular purposes or objects*  
17 *of expenditure, such amount, unless otherwise specified,*  
18 *shall be considered as the maximum amount that may be*  
19 *expended for said purpose or object rather than an amount*  
20 *set apart exclusively therefor.*

21 *SEC. 102. Appropriations in this Act shall be available*  
22 *for expenses of travel and for the payment of dues of organi-*  
23 *zations concerned with the work of the District of Columbia*  
24 *government, when authorized by the Mayor: Provided, That*  
25 *in the case of the Council of the District of Columbia, funds*

1 *may be expended with the authorization of the chair of the*  
2 *Council.*

3       *SEC. 103. There are appropriated from the applicable*  
4 *funds of the District of Columbia such sums as may be nec-*  
5 *essary for making refunds and for the payment of legal set-*  
6 *tlements or judgments that have been entered against the*  
7 *District of Columbia government: Provided, That nothing*  
8 *contained in this section shall be construed as modifying*  
9 *or affecting the provisions of section 11(c)(3) of title XII*  
10 *of the District of Columbia Income and Franchise Tax Act*  
11 *of 1947 (70 Stat. 78; Public Law 84-460; D.C. Code, sec.*  
12 *47-1812.11(c)(3)).*

13       *SEC. 104. No part of any appropriation contained in*  
14 *this Act shall remain available for obligation beyond the*  
15 *current fiscal year unless expressly so provided herein.*

16       *SEC. 105. No funds appropriated in this Act for the*  
17 *District of Columbia government for the operation of edu-*  
18 *cational institutions, the compensation of personnel, or for*  
19 *other educational purposes may be used to permit, encour-*  
20 *age, facilitate, or further partisan political activities. Noth-*  
21 *ing herein is intended to prohibit the availability of school*  
22 *buildings for the use of any community or partisan polit-*  
23 *ical group during non-school hours.*

24       *SEC. 106. None of the funds appropriated in this Act*  
25 *shall be made available to pay the salary of any employee*

1 *of the District of Columbia government whose name, title,*  
2 *grade, and salary are not available for inspection by the*  
3 *House and Senate Committees on Appropriations, the*  
4 *House Committee on Government Reform, the Senate Com-*  
5 *mittee on Governmental Affairs, and the Council of the Dis-*  
6 *trict of Columbia, or their duly authorized representative.*

7       *SEC. 107. (a) Except as provided in subsection (b), no*  
8 *part of this appropriation shall be used for publicity or*  
9 *propaganda purposes or implementation of any policy in-*  
10 *cluding boycott designed to support or defeat legislation*  
11 *pending before Congress or any State legislature.*

12       *(b) The District of Columbia may use local funds pro-*  
13 *vided in this Act to carry out lobbying activities on any*  
14 *matter other than—*

15             *(1) the promotion or support of any boycott; or*

16             *(2) statehood for the District of Columbia or vot-*  
17 *ing representation in Congress for the District of Co-*  
18 *lumbia.*

19       *(c) Nothing in this section may be construed to pro-*  
20 *hibit any elected official from advocating with respect to*  
21 *any of the issues referred to in subsection (b).*

22       *SEC. 108. At the start of the fiscal year, the Mayor*  
23 *shall develop an annual plan, by quarter and by project,*  
24 *for capital outlay borrowings: Provided, That within a rea-*  
25 *sonable time after the close of each quarter, the Mayor shall*

1 *report to the Council of the District of Columbia and the*  
2 *Congress the actual borrowings and spending progress com-*  
3 *pared with projections.*

4       *SEC. 109. (a) None of the funds provided under this*  
5 *Act to the agencies funded by this Act, both Federal and*  
6 *District government agencies, that remain available for ob-*  
7 *ligation or expenditure in fiscal year 2003, or provided*  
8 *from any accounts in the Treasury of the United States*  
9 *derived by the collection of fees available to the agencies*  
10 *funded by this Act, shall be available for obligation or ex-*  
11 *penditure for an agency through a reprogramming of funds*  
12 *which: (1) creates new programs; (2) eliminates a program,*  
13 *project, or responsibility center; (3) establishes or changes*  
14 *allocations specifically denied, limited or increased by Con-*  
15 *gress in this Act; (4) increases funds or personnel by any*  
16 *means for any program, project, or responsibility center for*  
17 *which funds have been denied or restricted; (5) reestablishes*  
18 *through reprogramming any program or project previously*  
19 *deferred through reprogramming; (6) augments existing*  
20 *programs, projects, or responsibility centers through a re-*  
21 *programming of funds in excess of \$1,000,000 or 10 percent,*  
22 *whichever is less; or (7) increases by 20 percent or more*  
23 *personnel assigned to a specific program, project or respon-*  
24 *sibility center; unless the Committees on Appropriations of*  
25 *both the Senate and House of Representatives are notified*



1 *in writing 30 days in advance of any reprogramming as*  
2 *set forth in this section.*

3       **(b)** *None of the local funds contained in this Act may*  
4 *be available for obligation or expenditure for an agency*  
5 *through a transfer of any local funds from one appropria-*  
6 *tion heading to another unless the Committees on Appro-*  
7 *priations of the Senate and House of Representatives are*  
8 *notified in writing 30 days in advance of the transfer, ex-*  
9 *cept that in no event may the amount of any funds trans-*  
10 *ferred exceed four percent of the local funds in the appro-*  
11 *priation.*

12       **SEC. 110.** *Consistent with the provisions of 31 U.S.C.*  
13 *1301(a), appropriations under this Act shall be applied*  
14 *only to the objects for which the appropriations were made*  
15 *except as otherwise provided by law.*

16       **SEC. 111.** *Notwithstanding any other provisions of*  
17 *law, the provisions of the District of Columbia Government*  
18 *Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-*  
19 *139; D.C. Official Code, sec. 1-601.01 et seq.), enacted pur-*  
20 *suant to section 422(3) of the District of Columbia Home*  
21 *Rule Act (87 Stat. 790; Public Law 93-198; D.C. Official*  
22 *Code, sec. 1-204.22(3)), shall apply with respect to the com-*  
23 *ensation of District of Columbia employees: Provided,*  
24 *That for pay purposes, employees of the District of Colum-*

1 *bia government shall not be subject to the provisions of title*  
2 *5, United States Code.*

3       *SEC. 112. No later than 30 days after the end of the*  
4 *first quarter of the fiscal year ending September 30, 2003,*  
5 *the Mayor of the District of Columbia shall submit to the*  
6 *Council of the District of Columbia the new fiscal year 2003*  
7 *revenue estimates as of the end of the first quarter of fiscal*  
8 *year 2003. These estimates shall be used in the budget re-*  
9 *quest for the fiscal year ending September 30, 2004. The*  
10 *officially revised estimates at midyear shall be used for the*  
11 *midyear report.*

12       *SEC. 113. No sole source contract with the District of*  
13 *Columbia government or any agency thereof may be re-*  
14 *newed or extended without opening that contract to the*  
15 *competitive bidding process as set forth in section 303 of*  
16 *the District of Columbia Procurement Practices Act of 1985*  
17 *(D.C. Law 6–85; D.C. Code, sec. 2–303.03), except that the*  
18 *District of Columbia government or any agency thereof may*  
19 *renew or extend sole source contracts for which competition*  
20 *is not feasible or practical: Provided, That the determina-*  
21 *tion as to whether to invoke the competitive bidding process*  
22 *has been made in accordance with duly promulgated rules*  
23 *and procedures and said determination has been reviewed*  
24 *and certified by the Chief Financial Officer of the District*  
25 *of Columbia.*

1        *SEC. 114. (a) In the event a sequestration order is*  
2 *issued pursuant to the Balanced Budget and Emergency*  
3 *Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99–*  
4 *177), after the amounts appropriated to the District of Co-*  
5 *lumbia for the fiscal year involved have been paid to the*  
6 *District of Columbia, the Mayor of the District of Columbia*  
7 *shall pay to the Secretary of the Treasury, within 15 days*  
8 *after receipt of a request therefor from the Secretary of the*  
9 *Treasury, such amounts as are sequestered by the order:*  
10 *Provided, That the sequestration percentage specified in the*  
11 *order shall be applied proportionately to each of the Federal*  
12 *appropriation accounts in this Act that are not specifically*  
13 *exempted from sequestration by such Act.*

14        *(b) For purposes of the Balanced Budget and Emer-*  
15 *gency Deficit Control Act of 1985 (99 Stat. 1037; Public*  
16 *Law 99–177), the term “program, project, and activity”*  
17 *shall be synonymous with and refer specifically to each ac-*  
18 *count appropriating Federal funds in this Act, and any*  
19 *sequestration order shall be applied to each of the accounts*  
20 *rather than to the aggregate total of those accounts: Pro-*  
21 *vided, That sequestration orders shall not be applied to any*  
22 *account that is specifically exempted from sequestration by*  
23 *the Balanced Budget and Emergency Deficit Control Act*  
24 *of 1985.*

1        *SEC. 115. (a) IN GENERAL.—(1) An entity of the Dis-*  
2 *trict of Columbia government may accept and use a gift*  
3 *or donation during fiscal year 2003 and any subsequent*  
4 *fiscal year if—*

5            *(A) the Mayor approves the acceptance and use*  
6 *of the gift or donation (except as provided in para-*  
7 *graph (2)); and*

8            *(B) the entity uses the gift or donation to carry*  
9 *out its authorized functions or duties.*

10        *(2) The Council of the District of Columbia and the*  
11 *District of Columbia courts may accept and use gifts with-*  
12 *out prior approval by the Mayor.*

13        *(b) Each entity of the District of Columbia government*  
14 *shall keep accurate and detailed records of the acceptance*  
15 *and use of any gift or donation under subsection (a), and*  
16 *shall make such records available for audit and public in-*  
17 *spection.*

18        *(c) For the purposes of this section, the term “entity*  
19 *of the District of Columbia government” includes an inde-*  
20 *pendent agency of the District of Columbia.*

21        *(d) This section shall not apply to the District of Co-*  
22 *lumbia Board of Education, which may, pursuant to the*  
23 *laws and regulations of the District of Columbia, accept*  
24 *and use gifts to the public schools without prior approval*  
25 *by the Mayor.*

1        *SEC. 116. None of the Federal funds provided in this*  
2 *Act may be used by the District of Columbia to provide*  
3 *for salaries, expenses, or other costs associated with the of-*  
4 *fices of United States Senator or United States Representa-*  
5 *tive under section 4(d) of the District of Columbia State-*  
6 *hood Constitutional Convention Initiatives of 1979 (D.C.*  
7 *Law 3-171; D.C. Official Code, sec. 1-123).*

8        *SEC. 117. None of the funds appropriated under this*  
9 *Act shall be expended for any abortion except where the life*  
10 *of the mother would be endangered if the fetus were carried*  
11 *to term or where the pregnancy is the result of an act of*  
12 *rape or incest.*

13        *SEC. 118. None of the Federal funds made available*  
14 *in this Act may be used to implement or enforce the Health*  
15 *Care Benefits Expansion Act of 1992 (D.C. Law 9-114;*  
16 *D.C. Official Code, sec. 32-701 et seq.) or to otherwise im-*  
17 *plement or enforce any system of registration of unmarried,*  
18 *cohabiting couples, including but not limited to registration*  
19 *for the purpose of extending employment, health, or govern-*  
20 *mental benefits to such couples on the same basis that such*  
21 *benefits are extended to legally married couples.*

22        *SEC. 119. (a) Notwithstanding any other provision of*  
23 *this Act, the Mayor, in consultation with the Chief Finan-*  
24 *cial Officer may accept, obligate, and expend Federal, pri-*  
25 *vate, and other grants received by the District government*

1 *that are not reflected in the amounts appropriated in this*  
2 *Act.*

3 *(b) No such Federal, private, or other grant may be*  
4 *accepted, obligated, or expended pursuant to subsection (a)*  
5 *until—*

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

9 *(2) the Council within 15 calendar days after re-*  
10 *ceipt of the report submitted under paragraph (1) has*  
11 *reviewed and approved the acceptance, obligation,*  
12 *and expenditure of such grant.*

13 *(c) No amount may be obligated or expended from the*  
14 *general fund or other funds of the District government in*  
15 *anticipation of the approval or receipt of a grant under*  
16 *subsection (b)(2) or in anticipation of the approval or re-*  
17 *ceipt of a Federal, private, or other grant not subject to*  
18 *this subsection.*

19 *(d) The Chief Financial Officer of the District of Co-*  
20 *lumbia shall prepare a quarterly report setting forth de-*  
21 *tailed information regarding all Federal, private, and other*  
22 *grants subject to this section. Each such report shall be sub-*  
23 *mitted to the Council of the District of Columbia, and to*  
24 *the Committees on Appropriations of the House of Rep-*

1 *representatives and the Senate, not later than 15 days after*  
2 *the end of the quarter covered by the report.*

3       *SEC. 120. (a) Except as otherwise provided in this sec-*  
4 *tion, none of the funds made available by this Act or by*  
5 *any other Act may be used to provide any officer or em-*  
6 *ployee of the District of Columbia with an official vehicle*  
7 *unless the officer or employee uses the vehicle only in the*  
8 *performance of the officer's or employee's official duties. For*  
9 *purposes of this paragraph, the term "official duties" does*  
10 *not include travel between the officer's or employee's resi-*  
11 *dence and workplace, except in the case of—*

12           *(1) in the case of an officer or employee of the*  
13 *Metropolitan Police Department who resides in the*  
14 *District of Columbia or is otherwise designated by the*  
15 *Chief of the Department;*

16           *(2) at the discretion of the Fire Chief, an officer*  
17 *or employee of the District of Columbia Fire and*  
18 *Emergency Medical Services Department who resides*  
19 *in the District of Columbia and is on call 24 hours*  
20 *a day;*

21           *(3) the Mayor of the District of Columbia; and*

22           *(4) the Chairman of the Council of the District*  
23 *of Columbia).*

24       *(b) The Chief Financial Officer of the District of Co-*  
25 *lumbia shall submit, by February 15, 2003, an inventory,*

1 *as of September 30, 2002, of all vehicles owned, leased or*  
2 *operated by the District of Columbia government. The in-*  
3 *ventory shall include, but not be limited to, the department*  
4 *to which the vehicle is assigned; the year and make of the*  
5 *vehicle; the acquisition date and cost; the general condition*  
6 *of the vehicle; annual operating and maintenance costs; cur-*  
7 *rent mileage; and whether the vehicle is allowed to be taken*  
8 *home by a District officer or employee and if so, the officer*  
9 *or employee's title and resident location.*

10 *(c) No officer or employee of the District of Columbia*  
11 *government (including any independent agency of the Dis-*  
12 *trict but excluding the Office of the Chief Technology Offi-*  
13 *cer, the Chief Financial Officer of the District of Columbia,*  
14 *and the Metropolitan Police Department) may enter into*  
15 *an agreement in excess of \$2,500 for the procurement of*  
16 *goods or services on behalf of any entity of the District gov-*  
17 *ernment until the officer or employee has conducted an*  
18 *analysis of how the procurement of the goods and services*  
19 *involved under the applicable regulations and procedures*  
20 *of the District government would differ from the procure-*  
21 *ment of the goods and services involved under the Federal*  
22 *supply schedule and other applicable regulations and proce-*  
23 *dures of the General Services Administration, including an*  
24 *analysis of any differences in the costs to be incurred and*  
25 *the time required to obtain the goods or services.*



1        *SEC. 121. Notwithstanding any other provision of law,*  
2 *not later than 120 days after the date that a District of*  
3 *Columbia Public Schools (DCPS) student is referred for*  
4 *evaluation or assessment—*

5            *(1) the District of Columbia Board of Education,*  
6 *or its successor, and DCPS shall assess or evaluate a*  
7 *student who may have a disability and who may re-*  
8 *quire special education services; and*

9            *(2) if a student is classified as having a dis-*  
10 *ability, as defined in section 101(a)(1) of the Individ-*  
11 *uals with Disabilities Education Act (84 Stat. 175;*  
12 *20 U.S.C. 1401(a)(1)) or in section 7(8) of the Reha-*  
13 *ilitation Act of 1973 (87 Stat. 359; 29 U.S.C.*  
14 *706(8)), the Board and DCPS shall place that student*  
15 *in an appropriate program of special education serv-*  
16 *ices.*

17        *SEC. 122. (a) No funds appropriated in this Act may*  
18 *be made available to any person or entity that violates the*  
19 *Buy American Act (41 U.S.C. 10a–10c).*

20            *(b)(1) In the case of any equipment or product that*  
21 *may be authorized to be purchased with financial assistance*  
22 *provided using funds made available in this Act, it is the*  
23 *sense of the Congress that entities receiving the assistance*  
24 *should, in expending the assistance, purchase only Amer-*

1 *ican-made equipment and products to the greatest extent*  
2 *practicable.*

3       (2) *In providing financial assistance using funds*  
4 *made available in this Act, the head of each agency of the*  
5 *Federal or District of Columbia government shall provide*  
6 *to each recipient of the assistance a notice describing the*  
7 *statement made in paragraph (1) by the Congress.*

8       (c) *If it has been finally determined by a court or Fed-*  
9 *eral agency that any person intentionally affixed a label*  
10 *bearing a “Made in America” inscription, or any inscrip-*  
11 *tion with the same meaning, to any product sold in or*  
12 *shipped to the United States that is not made in the United*  
13 *States, the person shall be ineligible to receive any contract*  
14 *or subcontract made with funds made available in this Act,*  
15 *pursuant to the debarment, suspension, and ineligibility*  
16 *procedures described in sections 9.400 through 9.409 of title*  
17 *48, Code of Federal Regulations.*

18       SEC. 123. *None of the funds contained in this Act may*  
19 *be used for purposes of the annual independent audit of*  
20 *the District of Columbia government for fiscal year 2003*  
21 *unless—*

22               (1) *the audit is conducted by the Inspector Gen-*  
23 *eral of the District of Columbia, in coordination with*  
24 *the Chief Financial Officer of the District of Colum-*  
25 *bia, pursuant to section 208(a)(4) of the District of*

1 *Columbia Procurement Practices Act of 1985 (D.C.*  
2 *Official Code, sec. 2-302.8); and*

3 *(2) the audit includes as a basic financial state-*  
4 *ment a comparison of audited actual year-end results*  
5 *with the revenues submitted in the budget document*  
6 *for such year and the appropriations enacted into law*  
7 *for such year using the format, terminology, and clas-*  
8 *sifications contained in the law making the appro-*  
9 *priations for the year and its legislative history.*

10 *SEC. 124. None of the funds contained in this Act may*  
11 *be used by the District of Columbia Corporation Counsel*  
12 *or any other officer or entity of the District government*  
13 *to provide assistance for any petition drive or civil action*  
14 *which seeks to require Congress to provide for voting rep-*  
15 *resentation in Congress for the District of Columbia.*

16 *SEC. 125. (a) None of the Federal funds contained in*  
17 *this Act may be used for any program of distributing sterile*  
18 *needles or syringes for the hypodermic injection of any ille-*  
19 *gal drug.*

20 *(b) Any individual or entity who receives any funds*  
21 *contained in this Act and who carries out any program*  
22 *described in subsection (a) shall account for all funds used*  
23 *for such program separately from any funds contained in*  
24 *this Act.*

1        *SEC. 126. None of the funds contained in this Act may*  
2 *be used after the expiration of the 60-day period that begins*  
3 *on the date of the enactment of this Act to pay the salary*  
4 *of any chief financial officer of any office of the District*  
5 *of Columbia government (including any independent agen-*  
6 *cy of the District) who has not filed a certification with*  
7 *the Mayor and the Chief Financial Officer of the District*  
8 *of Columbia that the officer understands the duties and re-*  
9 *strictions applicable to the officer and the officer's agency*  
10 *as a result of this Act (and the amendments made by this*  
11 *Act), including any duty to prepare a report requested ei-*  
12 *ther in the Act or in any of the reports accompanying the*  
13 *Act and the deadline by which each report must be sub-*  
14 *mitted, and the District's Chief Financial Officer shall pro-*  
15 *vide to the Committees on Appropriations of the Senate and*  
16 *the House of Representatives by the 10th day after the end*  
17 *of each quarter a summary list showing each report, the*  
18 *due date and the date submitted to the committees.*

19        *SEC. 127. (a) None of the funds contained in this Act*  
20 *may be used to enact or carry out any law, rule, or regula-*  
21 *tion to legalize or otherwise reduce penalties associated with*  
22 *the possession, use, or distribution of any schedule I sub-*  
23 *stance under the Controlled Substances Act (21 U.S.C. 802)*  
24 *or any tetrahydrocannabinols derivative.*

1           **(b) The Legalization of Marijuana for Medical Treat-**  
2 *ment Initiative of 1998, also known as Initiative 59, ap-*  
3 *proved by the electors of the District of Columbia on Novem-*  
4 *ber 3, 1998, shall not take effect.*

5           **SEC. 128. Nothing in this Act may be construed to pre-**  
6 *vent the Council or Mayor of the District of Columbia from*  
7 *addressing the issue of the provision of contraceptive cov-*  
8 *erage by health insurance plans, but it is the intent of Con-*  
9 *gress that any legislation enacted on such issue should in-*  
10 *clude a “conscience clause” which provides exceptions for*  
11 *religious beliefs and moral convictions.*

12           **SEC. 129. (a) If the Superior Court of the District of**  
13 *Columbia or the District of Columbia Court of Appeals does*  
14 *not make a payment described in subsection (b) prior to*  
15 *the expiration of the 45-day period which begins on the date*  
16 *the Court receives a completed voucher for a claim for the*  
17 *payment, interest shall be assessed against the amount of*  
18 *the payment which would otherwise be made to take into*  
19 *account the period which begins on the day after the expira-*  
20 *tion of such 45-day period and which ends on the day the*  
21 *Court makes the payment.*

22           **(b) A payment described in this subsection is—**

23                   **(1) a payment authorized under section 11–2604**  
24                   **and section 11–2605, D.C. Code (relating to represen-**

1        *tation provided under the District of Columbia*  
2        *Criminal Justice Act);*

3            (2) *a payment for counsel appointed in pro-*  
4        *ceedings in the Family Division of the Superior*  
5        *Court of the District of Columbia under chapter 23*  
6        *of title 16, D.C. Code; or*

7            (3) *a payment for counsel authorized under sec-*  
8        *tion 21–2060, D.C. Code (relating to representation*  
9        *provided under the District of Columbia Guardian-*  
10       *ship, Protective Proceedings, and Durable Power of*  
11       *Attorney Act of 1986).*

12        (c) *The chief judges of the Superior Court of the Dis-*  
13       *trict of Columbia and the District of Columbia Court of*  
14       *Appeals shall establish standards and criteria for deter-*  
15       *mining whether vouchers submitted for claims for payments*  
16       *described in subsection (b) are complete, and shall publish*  
17       *and make such standards and criteria available to attor-*  
18       *neys who practice before such Courts.*

19        (d) *Nothing in this section shall be construed to require*  
20       *the assessment of interest against any claim (or portion of*  
21       *any claim) which is denied by the Court involved.*

22        (e) *This section shall apply with respect to claims re-*  
23       *ceived by the Superior Court of the District of Columbia*  
24       *or the District of Columbia Court of Appeals during fiscal*  
25       *year 2003, claims received previously that remained unpaid*

1 *at the end of fiscal year 2002, which would have qualified*  
2 *for interest payment under this section, and to claims in*  
3 *any subsequent fiscal year.*

4 *SEC. 130. The Mayor of the District of Columbia shall*  
5 *submit to the Senate and House Committees on Appropria-*  
6 *tions, the Senate Governmental Affairs Committee, and the*  
7 *House Government Reform Committee quarterly reports ad-*  
8 *dressing the following issues—*

9 *(1) crime, including the homicide rate, imple-*  
10 *mentation of community policing, the number of po-*  
11 *lice officers on local beats, and the closing down of*  
12 *open-air drug markets;*

13 *(2) access to drug abuse treatment, including the*  
14 *number of treatment slots, the number of people*  
15 *served, the number of people on waiting lists, and the*  
16 *effectiveness of treatment programs;*

17 *(3) management of parolees and pre-trial violent*  
18 *offenders, including the number of halfway house es-*  
19 *capades and steps taken to improve monitoring and su-*  
20 *per vision of halfway house residents to reduce the*  
21 *number of escapes to be provided in consultation with*  
22 *the Court Services and Offender Supervision Agency;*

23 *(4) education, including access to special edu-*  
24 *cation services and student achievement to be pro-*

1        *vided in consultation with the District of Columbia*  
2        *Public Schools;*

3            *(5) improvement in basic District services, in-*  
4        *cluding rat control and abatement;*

5            *(6) application for and management of Federal*  
6        *grants, including the number and type of grants for*  
7        *which the District was eligible but failed to apply*  
8        *and the number and type of grants awarded to the*  
9        *District but for which the District failed to spend the*  
10       *amounts received; and*

11           *(7) indicators of child well-being.*

12        *SEC. 131. Nothing in this Act bars the District of Co-*  
13        *lumbia Corporation Counsel from reviewing or commenting*  
14        *on briefs in private lawsuits, or from consulting with offi-*  
15        *cial of the District government regarding such lawsuits.*

16        *SEC. 132. No later than 30 calendar days after the*  
17        *date of the enactment of this Act, the Chief Financial Offi-*  
18        *cer of the District of Columbia shall submit to the appro-*  
19        *priate committees of Congress, the Mayor, and the Council*  
20        *a revised appropriated funds operating budget in the for-*  
21        *mat of the budget that the District of Columbia government*  
22        *submitted pursuant to section 442 of the District of Colum-*  
23        *bia Home Rule Act (Public Law 93-198; D.C. Official*  
24        *Code, sec. 1-204.42), for all agencies of the District of Co-*  
25        *lumbia government for such fiscal year that is in the total*



1 amount of the approved appropriation and that realigns  
2 all budgeted data for personal services and other-than-per-  
3 sonal-services, respectively, with anticipated actual expend-  
4 itures.

5       *SEC. 133. In addition to any other authority to pay*  
6 *claims and judgments, any department, agency, or instru-*  
7 *mentality of the District government may pay the settle-*  
8 *ment or judgment of a claim or lawsuit in an amount less*  
9 *than \$10,000, in accordance with the Risk Management for*  
10 *Settlements and Judgments Amendment Act of 2000, effec-*  
11 *tive October 19, 2000 (D.C. Law 13–172; D.C. Official*  
12 *Code, sec. 2–402).*

13       *SEC. 134. None of the funds contained in this Act may*  
14 *be used to issue, administer, or enforce any order by the*  
15 *District of Columbia Commission on Human Rights relat-*  
16 *ing to docket numbers 93–030–(PA) and 93–031–(PA).*

17       *SEC. 135. None of the funds contained in this Act may*  
18 *be made available to pay—*

19           (1) *the fees of an attorney who represents a*  
20 *party in an action or an attorney who defends any*  
21 *action, including an administrative proceeding,*  
22 *brought against the District of Columbia Public*  
23 *Schools under the Individuals with Disabilities Edu-*  
24 *cation Act (20 U.S.C. 1400 et seq.) in excess of \$4,000*  
25 *for that action; or*

1           (2) *the fees of an attorney or firm whom the*  
 2           *Chief Financial Officer of the District of Columbia*  
 3           *determines to have a pecuniary interest, either*  
 4           *through an attorney, officer or employee of the firm,*  
 5           *in any special education diagnostic services, schools,*  
 6           *or other special education service providers.*

7           *This division may be cited as the “District of Colum-*  
 8           *bia Appropriations Act, 2003”.*

9                           *DIVISION D—ENERGY AND WATER*  
 10                          *DEVELOPMENT APPROPRIATIONS, 2003*

11           *Making appropriations for energy and water development*  
 12           *for the fiscal year ending September 30, 2003, and for*  
 13           *other purposes.*

14           *That the following sums are appropriated, out of any*  
 15           *money in the Treasury not otherwise appropriated, for the*  
 16           *fiscal year ending September 30, 2003, for energy and*  
 17           *water development, and for other purposes, namely:*

18    *TITLE I*  
 19    *DEPARTMENT OF DEFENSE—CIVIL*  
 20    *DEPARTMENT OF THE ARMY*  
 21    *CORPS OF ENGINEERS—CIVIL*

22           *The following appropriations shall be expended under*  
 23           *the direction of the Secretary of the Army and the super-*  
 24           *vision of the Chief of Engineers for authorized civil func-*  
 25           *tions of the Department of the Army pertaining to rivers*

1 *and harbors, flood control, shore protection, and related*  
2 *purposes.*

3 *GENERAL INVESTIGATIONS*

4 *For expenses necessary for the collection and study of*  
5 *basic information pertaining to river and harbor, flood con-*  
6 *trol, shore protection, and related projects, restudy of au-*  
7 *thorized projects, miscellaneous investigations, and, when*  
8 *authorized by laws, surveys and detailed studies and plans*  
9 *and specifications of projects prior to construction,*  
10 *\$148,304,000, to remain available until expended.*

11 *CONSTRUCTION, GENERAL*

12 *For the prosecution of river and harbor, flood control,*  
13 *shore protection, and related projects authorized by laws;*  
14 *and detailed studies, and plans and specifications, of*  
15 *projects (including those for development with participation*  
16 *or under consideration for participation by States, local*  
17 *governments, or private groups) authorized or made eligible*  
18 *for selection by law (but such studies shall not constitute*  
19 *a commitment of the Government to construction),*  
20 *\$1,636,602,000, to remain available until expended, of*  
21 *which such sums as are necessary for the Federal share of*  
22 *construction costs for facilities under the Dredged Material*  
23 *Disposal Facilities program shall be derived from the Har-*  
24 *bor Maintenance Trust Fund, as authorized by Public Law*  
25 *104–303; and of which such sums as are necessary pursuant*

1 to Public Law 99–662 shall be derived from the Inland Wa-  
2 terways Trust Fund, for one-half of the costs of construction  
3 and rehabilitation of inland waterways projects, including  
4 rehabilitation costs for the Lock and Dam 11, Mississippi  
5 River, Iowa; Lock and Dam 12, Mississippi River, Iowa;  
6 Lock and Dam 24, Mississippi River, Illinois and Missouri;  
7 Lock and Dam 3, Mississippi River, Minnesota; and Lon-  
8 don Locks and Dam, Kanawha River, West Virginia,  
9 projects; and of which \$500,000 may be available for dis-  
10 persal barriers in the Chicago Ship and Sanitary Canal,  
11 Illinois: Provided, That using \$2,000,000 of the funds pro-  
12 vided herein, the Secretary of the Army, acting through the  
13 Chief of Engineers, is directed to conduct, at full Federal  
14 expense, technical studies of individual ditch systems iden-  
15 tified by the State of Hawaii, and to assist the State in  
16 diversification by helping to define the cost of repairing and  
17 maintaining selected ditch systems: Provided further, That  
18 the Secretary of the Army, acting through the Chief of Engi-  
19 neers, is directed to use \$2,000,000 of the funds appro-  
20 priated herein to continue construction of the navigation  
21 project at Kaunapali Harbor, Hawaii: Provided further,  
22 That the Secretary of the Army is directed to use \$5,000,000  
23 of the funds provided herein for Dam safety and Seepage/  
24 Stability Correction Program to continue construction of  
25 seepage control features at Waterbury Dam, Vermont: Pro-

1 *vided further, That the Secretary of the Army, acting*  
2 *through the Chief of Engineers, is directed to use*  
3 *\$11,400,000 of the funds appropriated herein to proceed*  
4 *with planning, engineering, design or construction of the*  
5 *Grundy, Buchanan County, and Dickenson County, Vir-*  
6 *ginia elements of the Levisa and Tug Forks of the Big*  
7 *Sandy River and Upper Cumberland River Project: Pro-*  
8 *vided further, That the Secretary of the Army, acting*  
9 *through the Chief of Engineers, is directed to use \$5,500,000*  
10 *of the funds appropriated herein to proceed with the plan-*  
11 *ning, engineering, design or construction of the Lower*  
12 *Mingo County, Upper Mingo County, Wayne County,*  
13 *McDowell County, West Virginia elements of the Levisa and*  
14 *Tug Forks of the Big Sandy River and Upper Cumberland*  
15 *River Project: Provided further, That the Secretary of the*  
16 *Army, acting through the Chief of Engineers, is directed*  
17 *to continue the Dickenson County Detailed Project Report*  
18 *as generally defined in Plan 4 of the Huntington District*  
19 *Engineer's Draft Supplement to the Section 202 General*  
20 *Plan for Flood Damage Reduction dated April 1997, in-*  
21 *cluding all Russell Fork tributary streams within the Coun-*  
22 *ty and special considerations as may be appropriate to ad-*  
23 *dress the unique relocations and resettlement needs for the*  
24 *flood prone communities within the County: Provided fur-*  
25 *ther, That the Assistant Secretary of the Army, acting*

1 *through the Chief of Engineers is directed to proceed with*  
2 *the construction of the Dallas Floodway Extension, Texas,*  
3 *in accordance with the Chief of Engineers report dated De-*  
4 *cember 7, 1999: Provided further, That the Assistant Sec-*  
5 *retary of the Army, acting through the Chief of Engineers*  
6 *is directed to proceed with the construction of the Seward*  
7 *Harbor, Alaska project, in accordance with the Report of*  
8 *the Chief of Engineers dated June 8, 1999 and the economic*  
9 *justification contained therein: Provided further, That the*  
10 *Assistant Secretary of the Army, acting through the Chief*  
11 *of Engineers is directed to proceed with the construction*  
12 *of the Wrangell Harbor, Alaska project in accordance with*  
13 *the Chief of Engineer's report dated December 23, 1999:*  
14 *Provided further, That, of the funds provided herein,*  
15 *\$3,000,000 shall be made available for the Galena Bank*  
16 *Stabilization Project in Galena, Alaska: Provided further,*  
17 *That the Secretary of the Army, acting through the Chief*  
18 *of Engineers, is authorized and directed to use \$5,000,000*  
19 *of Construction, General funding as provided herein for*  
20 *construction of an emergency outlet from Devils Lake, North*  
21 *Dakota, to the Sheyenne River, at an estimated total cost*  
22 *of \$100,000,000, which shall be cost-shared in accordance*  
23 *with section 103 of the Water Resources Development Act*  
24 *of 1986, as amended (33 U.S.C. 2213), except that the funds*  
25 *shall not become available unless the Secretary of the Army*

1 *determines that an emergency (as defined in section 102*  
2 *of the Robert T. Stafford Disaster Relief and Emergency*  
3 *Assistance Act (42 U.S.C. 5122)) exists with respect to the*  
4 *emergency need for the outlet and reports to Congress that*  
5 *the construction is technically sound and environmentally*  
6 *acceptable, and in compliance with the National Environ-*  
7 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Pro-*  
8 *vided further, That the justification for the emergency outlet*  
9 *shall be fully described, including the analysis of the bene-*  
10 *fits and costs, in the project plan documents: Provided fur-*  
11 *ther, That the plans for the emergency outlet shall be re-*  
12 *viewed and, to be effective, shall contain assurances pro-*  
13 *vided by the Secretary of State, that the project will not*  
14 *violate the Treaty Between the United States and Great*  
15 *Britain Relating to the Boundary Waters Between the*  
16 *United States and Canada, signed at Washington, January*  
17 *11, 1909 (36 Stat. 2448; TS 548) (commonly known as the*  
18 *“Boundary Waters Treaty of 1909”): Provided further,*  
19 *That the Secretary of the Army shall submit the final plans*  
20 *and other documents for the emergency outlet to Congress:*  
21 *Provided further, That no funds made available under this*  
22 *Act or any other Act for any fiscal year may be used by*  
23 *the Secretary of the Army to carry out the portion of the*  
24 *feasibility study of the Devils Lake Basin, North Dakota,*  
25 *authorized under the Energy and Water Development Ap-*

1 *propriations Act, 1993 (Public Law 102–377), that address-*  
 2 *es the needs of the area for stabilized lake levels through*  
 3 *inlet controls, or to otherwise study any facility or carry*  
 4 *out any activity that would permit the transfer of water*  
 5 *from the Missouri River Basin into Devils Lake.*

6 *FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,*  
 7 *ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-*  
 8 *SISSIPPI, MISSOURI, AND TENNESSEE*

9 *For expenses necessary for prosecuting work of flood*  
 10 *control, rescue work, repair, restoration, or maintenance of*  
 11 *flood control projects threatened or destroyed by flood, as*  
 12 *authorized by law (33 U.S.C. 702a and 702g–1),*  
 13 *\$346,437,000, to remain available until expended: Pro-*  
 14 *vided, That the Secretary of the Army, acting through the*  
 15 *Chief of Engineers, using \$15,000,000 of the funds provided*  
 16 *herein, is directed to continue design and real estate activi-*  
 17 *ties and to initiate the pump supply contract for the Yazoo*  
 18 *Basin, Yazoo Backwater Pumping Plant, Mississippi: Pro-*  
 19 *vided further, That the pump supply contract shall be per-*  
 20 *formed by awarding continuing contracts in accordance*  
 21 *with 33 U.S.C. § 621.*

22 *OPERATION AND MAINTENANCE, GENERAL*

23 *For expenses necessary for the protection, preservation,*  
 24 *operation, maintenance, and care of existing river and har-*  
 25 *bor, flood control, and related works, including such sums*  
 26 *as may be necessary for the maintenance of harbor channels*



1 *provided by a State, municipality or other public agency,*  
2 *outside of harbor lines, and serving essential needs of gen-*  
3 *eral commerce and navigation; surveys and charting of*  
4 *northern and northwestern lakes and connecting waters;*  
5 *clearing and straightening channels; and removal of ob-*  
6 *structions to navigation, \$1,956,182,000, to remain avail-*  
7 *able until expended, of which such sums as become available*  
8 *in the Harbor Maintenance Trust Fund, pursuant to Public*  
9 *Law 99-662, may be derived from that Fund, and of which*  
10 *such sums as become available from the special account es-*  
11 *tablished by the Land and Water Conservation Act of 1965,*  
12 *as amended (16 U.S.C. 460l), may be derived from that*  
13 *account for construction, operation, and maintenance of*  
14 *outdoor recreation facilities: Provided, That of funds appro-*  
15 *priated herein, for the Intracoastal Waterway, Delaware*  
16 *River to Chesapeake Bay, Delaware and Maryland, the Sec-*  
17 *retary of the Army, acting through the Chief of Engineers,*  
18 *is directed to reimburse the State of Delaware for normal*  
19 *operation and maintenance costs incurred by the State of*  
20 *Delaware for the SR1 Bridge from station 58+00 to sta-*  
21 *tion 293+00 between May 12, 1997 and September 30,*  
22 *2002.*

1 *REGULATORY PROGRAM*

2 *For expenses necessary for administration of laws per-*  
3 *taining to regulation of navigable waters and wetlands,*  
4 *\$144,252,000, to remain available until expended.*

5 *FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM*

6 *For expenses necessary to clean up contamination*  
7 *from sites throughout the United States resulting from work*  
8 *performed as part of the Nation's early atomic energy pro-*  
9 *gram, \$140,298,000, to remain available until expended.*

10 *FLOOD CONTROL AND COASTAL EMERGENCIES*

11 *For expenses necessary for emergency flood control,*  
12 *hurricane response, and emergency shore protection, and re-*  
13 *lated activities, \$20,227,000, to remain available until ex-*  
14 *pendent.*

15 *GENERAL EXPENSES*

16 *For expenses necessary for general administration and*  
17 *related functions in the Office of the Chief of Engineers and*  
18 *offices of the Division Engineers; activities of the Hum-*  
19 *phreys Engineer Center Support Activity, the Institute for*  
20 *Water Resources, and headquarters support functions at the*  
21 *USACE Finance Center, \$155,651,000, to remain available*  
22 *until expended: Provided, That no part of any other appro-*  
23 *priation provided in title I of this Act shall be available*  
24 *to fund the activities of the Office of the Chief of Engineers*  
25 *or the executive direction and management activities of the*

1 *division offices: Provided further, That none of these funds*  
 2 *shall be available to support an Office of Congressional Af-*  
 3 *fairs within the Executive Office of the Chief of Engineers.*

4 *ADMINISTRATIVE PROVISIONS*

5 *Appropriations in this title shall be available for offi-*  
 6 *cial reception and representation expenses (not to exceed*  
 7 *\$5,000); and during the current fiscal year the Revolving*  
 8 *Fund, Corps of Engineers, shall be available for purchase*  
 9 *(not to exceed 100 for replacement only) and hire of pas-*  
 10 *senger motor vehicles.*

11 *GENERAL PROVISIONS*

12 *CORPS OF ENGINEERS—CIVIL*

13 *SEC. 101. Agreements proposed for execution by the As-*  
 14 *stant Secretary of the Army for Civil Works or the United*  
 15 *States Army Corps of Engineers after the date of the enact-*  
 16 *ment of this Act pursuant to section 4 of the Rivers and*  
 17 *Harbor Act of 1915, Public Law 64–291; section 11 of the*  
 18 *River and Harbor Act of 1925, Public Law 68–585; the*  
 19 *Civil Functions Appropriations Act, 1936, Public Law 75–*  
 20 *208; section 215 of the Flood Control Act of 1968, as amend-*  
 21 *ed, Public Law 90–483; sections 104, 203, and 204 of the*  
 22 *Water Resources Development Act of 1986, as amended*  
 23 *(Public Law 99–662); section 206 of the Water Resources*  
 24 *Development Act of 1992, as amended, Public Law 102–*  
 25 *580; section 211 of the Water Resources Development Act*

1 of 1996, Public Law 104–303, and any other specific project  
2 authority, shall be limited to credits and reimbursements  
3 per project not to exceed \$10,000,000 in each fiscal year,  
4 and total credits and reimbursements for all applicable  
5 projects not to exceed \$50,000,000 in each fiscal year.

6       *SEC. 102. ST. GEORGES BRIDGE, DELAWARE.* None of  
7 the funds made available in this Act may be used to carry  
8 out any activity relating to closure or removal of the St.  
9 Georges Bridge across the Intracoastal Waterway, Delaware  
10 River to Chesapeake Bay, Delaware and Maryland, includ-  
11 ing a hearing or any other activity relating to preparation  
12 of an environmental impact statement concerning the clo-  
13 sure or removal.

14       *SEC. 103.* Section 595(h)(1) of Public Law 106–53 is  
15 amended by striking “\$25,000,000” and inserting in lieu  
16 thereof “\$100,000,000”.

17       *SEC. 104.* The Secretary of the Army, acting through  
18 the Chief of Engineers is directed to increase the use of the  
19 private sector in performing planning, engineering and de-  
20 sign work for Corps’ projects to 40 percent of the planning,  
21 engineering and design work conducted by the Corps.

22       *SEC. 105. ST. PAUL ISLAND HARBOR, ST. PAUL,*  
23 *ALASKA TECHNICAL CORRECTIONS.* Section 101(b)(3) of  
24 Public Law 104–303 (the Water Resources Development Act  
25 of 1996), (110 Stat. 3667) is amended by—

1           (1) *striking “\$18,981,000” and inserting in lieu*  
2           *thereof “\$52,300,000”; and*

3           (2) *striking “\$12,239,000” and inserting in lieu*  
4           *thereof “\$45,558,000”.*

5           *SEC. 106. ABIQUIU DAM, NEW MEXICO. Section 1112*  
6           *of Public Law 99–662 (the Water Resources Development*  
7           *Act of 1986), (100 Stat. 4232) is amended by striking*  
8           *“\$2,700,000” and inserting in lieu thereof “\$10,000,000”.*

9           *SEC. 107. The project for flood control, Las Vegas Wash*  
10          *and Tributaries (Flamingo and Tropicana Washes), Ne-*  
11          *vada, authorized by section 101(13) of Public Law 102–*  
12          *580 [106 Stat. 4803] is modified to include as a part of*  
13          *the project channel crossings that are necessary for those*  
14          *existing and proposed highways and roads shown on the*  
15          *Clark County Comprehensive Plan Transportation Ele-*  
16          *ment, approved by the Clark County Board of County Com-*  
17          *missioners on October 1, 1996. The performance of work*  
18          *required for construction of such channel crossings and the*  
19          *costs incurred in performing such work shall be considered*  
20          *part of the non-Federal sponsor’s responsibility to provide*  
21          *lands, easements, and rights-of-way, and to perform reloca-*  
22          *tions for the project. Costs incurred in performing such*  
23          *work may not exceed \$16,000,000.*

24          *SEC. 108. The Secretary of the Army may expend*  
25          *funds under normal competitive procedures for necessary*

1 *maintenance of the dredge McFARLAND. The Secretary*  
2 *shall not obligate any funds to place the dredge in ready*  
3 *reserve status.*

4       *SEC. 109. ATLANTIC INTRACOASTAL WATERWAY*  
5 *BRIDGE REPLACEMENT AT GREAT BRIDGE, CHESAPEAKE,*  
6 *VIRGINIA. The project for replacement of the bridge at Great*  
7 *Bridge, Chesapeake, Virginia, authorized by Section 339(h)*  
8 *of Public Law 104–59 is modified to authorize the Secretary*  
9 *to construct the project at an estimated cost of \$46,000,000.*

10       *SEC. 110. None of the funds appropriated herein or*  
11 *hereafter in this Act, or any other Act, shall be used to study*  
12 *or implement any plans privatizing, divesting or transfer-*  
13 *ring of any Civil Works missions, functions, or responsibil-*  
14 *ities for the U.S. Army Corps of Engineers to other govern-*  
15 *ment agencies without specific direction in a subsequent Act*  
16 *of Congress.*

17       *SEC. 111. The project for flood control for the Amer-*  
18 *ican and Sacramento Rivers, California, authorized by Sec-*  
19 *tion 101(a)(1) of the Water Resources Development Act of*  
20 *1996 (Public Law 104–303) and Section 366 of the Water*  
21 *Resources Development Act of 1999, is modified to authorize*  
22 *the Secretary of the Army, acting through the Chief of Engi-*  
23 *neers, to construct the project at a total cost of*  
24 *\$205,000,000, with an estimated Federal share of*  
25 *\$153,840,000 and an estimated non-Federal share of*



1        *In addition, for necessary expenses incurred in car-*  
2 *rying out related responsibilities of the Secretary of the In-*  
3 *terior, \$1,326,000, to remain available until expended.*

4                                    *BUREAU OF RECLAMATION*

5        *The following appropriations shall be expended to exe-*  
6 *cute authorized functions of the Bureau of Reclamation:*

7                                    *WATER AND RELATED RESOURCES*

8                                    *(INCLUDING TRANSFER OF FUNDS)*

9        *For management, development, and restoration of*  
10 *water and related natural resources and for related activi-*  
11 *ties, including the operation, maintenance and rehabilita-*  
12 *tion of reclamation and other facilities, participation in*  
13 *fulfilling related Federal responsibilities to Native Ameri-*  
14 *cans, and related grants to, and cooperative and other*  
15 *agreements with, State and local governments, Indian*  
16 *tribes, and others, \$816,147,000, to remain available until*  
17 *expended, of which \$36,400,000 shall be available for trans-*  
18 *fer to the Upper Colorado River Basin Fund and*  
19 *\$34,327,000 shall be available for transfer to the Lower Col-*  
20 *orado River Basin Development Fund; of which such*  
21 *amounts as may be necessary may be advanced to the Colo-*  
22 *rado River Dam Fund; of which \$4,600,000 shall be for on-*  
23 *reservation water development, feasibility studies, and re-*  
24 *lated administrative costs under Public Law 106–163; (of*  
25 *which not more than 25 percent of the amount provided*  
26 *for drought emergency assistance may be used for financial*



1 assistance for the preparation of cooperative drought con-  
2 tingency plans under title II of Public Law 102–250;) and  
3 of which not more than \$500,000 is for high priority  
4 projects which shall be carried out by the Youth Conserva-  
5 tion Corps, as authorized by 16 U.S.C. 1706: Provided,  
6 That such transfers may be increased or decreased within  
7 the overall appropriation under this heading: Provided fur-  
8 ther, That of the total appropriated, the amount for pro-  
9 gram activities that can be financed by the Reclamation  
10 Fund or the Bureau of Reclamation special fee account es-  
11 tablished by 16 U.S.C. 460l–6a(i) shall be derived from that  
12 Fund or account: Provided further, That funds contributed  
13 under 43 U.S.C. 395 are available until expended for the  
14 purposes for which contributed: Provided further, That  
15 funds advanced under 43 U.S.C. 397a shall be credited to  
16 this account and are available until expended for the same  
17 purposes as the sums appropriated under this heading: Pro-  
18 vided further, That funds available for expenditure for the  
19 Departmental Irrigation Drainage Program may be ex-  
20 pended by the Bureau of Reclamation for site remediation  
21 on a non-reimbursable basis: Provided further, That section  
22 301 of Public Law 102–250, Reclamation States Emergency  
23 Drought Relief Act of 1991, as amended, is amended further  
24 by inserting “2002, and 2003” in lieu of “and 2002”.

1            *CENTRAL VALLEY PROJECT RESTORATION FUND*

2            *For carrying out the programs, projects, plans, and*  
3 *habitat restoration, improvement, and acquisition provi-*  
4 *sions of the Central Valley Project Improvement Act,*  
5 *\$48,904,000, to be derived from such sums as may be col-*  
6 *lected in the Central Valley Project Restoration Fund pur-*  
7 *suant to sections 3407(d), 3404(c)(3), 3405(f), and*  
8 *3406(c)(1) of Public Law 102–575, to remain available*  
9 *until expended: Provided, That the Bureau of Reclamation*  
10 *is directed to assess and collect the full amount of the addi-*  
11 *tional mitigation and restoration payments authorized by*  
12 *section 3407(d) of Public Law 102–575.*

13            *CALIFORNIA BAY-DELTA RESTORATION*14            *(INCLUDING TRANSFER OF FUNDS)*

15            *For carrying out authorized activities that are in ac-*  
16 *cord with the CALFED Bay-Delta Program, including ac-*  
17 *tivities that would improve fish and wildlife habitat, water*  
18 *supply reliability, and water quality, consistent with plans*  
19 *to be approved by the Secretary of the Interior, \$0, to re-*  
20 *main available until expended, of which such amounts as*  
21 *may be necessary to carry out such activities may be trans-*  
22 *ferred to appropriate accounts of other participating Fed-*  
23 *eral agencies to carry out authorized purposes: Provided,*  
24 *That funds appropriated herein may be used for the Federal*  
25 *share of the costs of CALFED Program management.*

1 *POLICY AND ADMINISTRATION*

2 *For necessary expenses of policy, administration, and*  
3 *related functions in the office of the Commissioner, the Den-*  
4 *ver office, and offices in the five regions of the Bureau of*  
5 *Reclamation, to remain available until expended,*  
6 *\$54,870,000, to be derived from the Reclamation Fund and*  
7 *be nonreimbursable as provided in 43 U.S.C. 377: Provided,*  
8 *That no part of any other appropriation in this Act shall*  
9 *be available for activities or functions budgeted as policy*  
10 *and administration expenses.*

11 *ADMINISTRATIVE PROVISION*

12 *Appropriations for the Bureau of Reclamation shall*  
13 *be available for purchase of not to exceed four passenger*  
14 *motor vehicles for replacement only.*

15 *GENERAL PROVISIONS*16 *DEPARTMENT OF THE INTERIOR*

17 *SEC. 201. None of the funds appropriated or otherwise*  
18 *made available by this or any other Act may be used to*  
19 *pay the salaries and expenses of personnel to purchase or*  
20 *lease water in the Middle Rio Grande or the Carlsbad*  
21 *Projects in New Mexico unless said purchase or lease is in*  
22 *compliance with the purchase requirements of section 202*  
23 *of Public Law 106–60.*

24 *SEC. 202. Funds under this title for Drought Emer-*  
25 *gency Assistance shall be made available primarily for leas-*  
26 *ing of water for specified drought related purposes from*

1 *willing lessors, in compliance with existing State laws and*  
2 *administered under State water priority allocation. Such*  
3 *leases may be entered into with an option to purchase: Pro-*  
4 *vided, That such purchase is approved by the State in*  
5 *which the purchase takes place and the purchase does not*  
6 *cause economic harm within the State in which the pur-*  
7 *chase is made.*

8       *SEC. 203. The natural desert terminal lakes program*  
9 *administered by the Bureau of Reclamation shall apply*  
10 *only to Walker and Pyramid Lakes in the State of Nevada.*

11       *SEC. 204. The Commissioner of the Bureau of Rec-*  
12 *lamation is directed to increase the use of the private sector*  
13 *in performing planning, engineering and design work for*  
14 *Bureau of Reclamation's projects to 10 percent in fiscal*  
15 *year 2003, and in each subsequent year until the level of*  
16 *work is at least 40 percent for the planning, engineering*  
17 *and design work conducted by the Bureau of Reclamation.*

18       *SEC. 205. NORTH CENTRAL MONTANA RURAL WATER*  
19 *SUPPLY. Using previously appropriated funds, the Bureau*  
20 *is directed to undertake activities related to the development*  
21 *of the North Central Montana Rural Water Supply system.*  
22 *Such sums shall remain available, without fiscal year limi-*  
23 *tation, until expended.*

1        *SEC. 206. Section 8 of Public Law 104–298 (the Water*  
2 *Desalination Act of 1996), (110 Stat. 3624) is amended fur-*  
3 *ther by—*

4            (1) *in paragraph (a) by striking “2002” and in-*  
5 *serting in lieu thereof “2004”; and*

6            (2) *in paragraph (b) by striking “2002” and in-*  
7 *serting in lieu thereof “2004”.*

8        *SEC. 207. (a) None of the funds appropriated or other-*  
9 *wise made available by this Act may be used to determine*  
10 *the final point of discharge for the interceptor drain for*  
11 *the San Luis Unit until development by the Secretary of*  
12 *the Interior and the State of California of a plan, which*  
13 *shall conform to the water quality standards of the State*  
14 *of California as approved by the Administrator of the Envi-*  
15 *ronmental Protection Agency, to minimize any detrimental*  
16 *effect of the San Luis drainage waters.*

17        (b) *The costs of the Kesterson Reservoir Cleanup Pro-*  
18 *gram and the costs of the San Joaquin Valley Drainage*  
19 *Program shall be classified by the Secretary of the Interior*  
20 *as reimbursable or nonreimbursable and collected until fully*  
21 *repaid pursuant to the “Cleanup Program—Alternative*  
22 *Repayment Plan” and the “SJVDP—Alternative Repay-*  
23 *ment Plan” described in the report entitled “Repayment*  
24 *Report, Kesterson Reservoir Cleanup Program and San*  
25 *Joaquin Valley Drainage Program, February 1995”, pre-*

1 *pared by the Department of the Interior, Bureau of Rec-*  
 2 *lamation. Any future obligations of funds by the United*  
 3 *States relating to, or providing for, drainage service or*  
 4 *drainage studies for the San Luis Unit shall be fully reim-*  
 5 *bursable by San Luis Unit beneficiaries of such service or*  
 6 *studies pursuant to Federal reclamation law.*

7       *Sec. 208. HERRING CREEK-TALL TIMBERS, MARY-*  
 8 *LAND. (a) IN GENERAL.—Using funds made available by*  
 9 *this Act, the Secretary of the Army, acting through the Chief*  
 10 *of Engineers, may provide immediate corrective mainte-*  
 11 *nance to the project at Herring Creek-Tall Timbers, Mary-*  
 12 *land, at full Federal expense.*

13       *(b) INCLUSIONS.—The corrective maintenance de-*  
 14 *scribed in subsection (a), and any other maintenance per-*  
 15 *formed after the date of enactment of this Act with respect*  
 16 *to the project described in that subsection, may include re-*  
 17 *pair or replacement, as appropriate, of the foundation and*  
 18 *structures adjacent and structurally integral to the project.*

19       *SEC. 209. (a) NORTH LAS VEGAS WATER REUSE*  
 20 *PROJECT.—*

21               *(1) AUTHORIZATION.—The Secretary of the Inte-*  
 22 *rior, in cooperation with the appropriate local au-*  
 23 *thorities, may participate in the design, planning,*  
 24 *and construction of the North Las Vegas Water Reuse*  
 25 *Project (hereinafter referred to as the “Project”) to re-*

1       *claim and reuse water in the service area of the North*  
2       *Las Vegas Utility Division Service Area of the city*  
3       *North Las Vegas and county of Clark, Nevada.*

4               (2) *COST SHARE.—The Federal share of the cost*  
5       *of the Project shall not exceed 25 percent of the total*  
6       *cost.*

7               (3) *LIMITATION.—Funds provided by the Sec-*  
8       *retary shall not be used for the operation or mainte-*  
9       *nance of the Project.*

10              (4) *FUNDING.—Funds appropriated pursuant to*  
11       *section 1631 of the Reclamation Wastewater and*  
12       *Groundwater Study and Facilities Act (43 U.S.C.*  
13       *390h–13) may be used for the Project.*

14              (b) *RECLAMATION WASTEWATER AND GROUNDWATER*  
15       *STUDY AND FACILITIES ACT.—Design, planning, and con-*  
16       *struction of the Project authorized by this Act shall be in*  
17       *accordance with, and subject to the limitations contained*  
18       *in, the Reclamation Wastewater and Groundwater Study*  
19       *and Facilities Act (106 Stat. 4663–4669, 43 U.S.C. 390h*  
20       *et seq.), as amended.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

*TITLE III*

*DEPARTMENT OF ENERGY*

*ENERGY PROGRAMS*

*ENERGY SUPPLY*

*For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$815,306,000, to remain available until expended.*

*NON-DEFENSE ENVIRONMENTAL MANAGEMENT*

*For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, \$176,000,000, to remain available until expended.*



1     *URANIUM FACILITIES MAINTENANCE AND REMEDIATION*  
2                             *(INCLUDING TRANSFER OF FUNDS)*

3             *For necessary expenses to maintain, decontaminate,*  
4 *decommission, and otherwise remediate uranium processing*  
5 *facilities, \$471,154,000, of which \$334,523,000 shall be de-*  
6 *rived from the Uranium Enrichment Decontamination and*  
7 *Decommissioning Fund, all of which shall remain available*  
8 *until expended.*

9                             *SCIENCE*

10            *For Department of Energy expenses including the pur-*  
11 *chase, construction and acquisition of plant and capital*  
12 *equipment, and other expenses necessary for science activi-*  
13 *ties in carrying out the purposes of the Department of En-*  
14 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*  
15 *the acquisition or condemnation of any real property or*  
16 *facility or for plant or facility acquisition, construction, or*  
17 *expansion, and purchase of not to exceed 25 passenger*  
18 *motor vehicles for replacement only, \$3,329,456,000, to re-*  
19 *main available until expended.*

20                            *NUCLEAR WASTE DISPOSAL*

21            *For nuclear waste disposal activities to carry out the*  
22 *purposes of Public Law 97-425, as amended, including the*  
23 *acquisition of real property or facility construction or ex-*  
24 *pansion, \$56,000,000, to remain available until expended*  
25 *and to be derived from the Nuclear Waste Fund: Provided,*

1 *That \$2,500,000 shall be provided to the State of Nevada*  
2 *solely for expenditures, other than salaries and expenses of*  
3 *State employees, to conduct scientific oversight responsibil-*  
4 *ities and participate in licensing activities pursuant to the*  
5 *Nuclear Waste Policy Act of 1982, Public Law 97-425, as*  
6 *amended: Provided further, That \$6,000,000 shall be pro-*  
7 *vided to affected units of local governments, as defined in*  
8 *Public Law 97-425, to conduct appropriate activities pur-*  
9 *suant to the Act: Provided further, That the distribution*  
10 *of the funds as determined by the units of local government*  
11 *shall be approved by the Department of Energy: Provided*  
12 *further, That the funds for the State of Nevada shall be*  
13 *made available solely to the Nevada Division of Emergency*  
14 *Management by direct payment and units of local govern-*  
15 *ment by direct payment: Provided further, That within 90*  
16 *days of the completion of each Federal fiscal year, the Ne-*  
17 *vada Division of Emergency Management and the Governor*  
18 *of the State of Nevada and each local entity shall provide*  
19 *certification to the Department of Energy that all funds ex-*  
20 *pended from such payments have been expended for activi-*  
21 *ties authorized by Public Law 97-425 and this Act. Failure*  
22 *to provide such certification shall cause such entity to be*  
23 *prohibited from any further funding provided for similar*  
24 *activities: Provided further, That none of the funds herein*  
25 *appropriated may be: (1) used directly or indirectly to in-*

1 *fluence legislative action on any matter pending before Con-*  
2 *gress or a State legislature or for lobbying activity as pro-*  
3 *vided in 18 U.S.C. 1913; (2) used for litigation expenses;*  
4 *or (3) used to support multi-State efforts or other coalition*  
5 *building activities inconsistent with the restrictions con-*  
6 *tained in this Act: Provided further, That all proceeds and*  
7 *recoveries by the Secretary in carrying out activities au-*  
8 *thorized by the Nuclear Waste Policy Act of 1982 in Public*  
9 *Law 97-425, as amended, including but not limited to, any*  
10 *proceeds from the sale of assets, shall be available without*  
11 *further appropriation and shall remain available until ex-*  
12 *pended.*

13 *DEPARTMENTAL ADMINISTRATION*

14 *For salaries and expenses of the Department of Energy*  
15 *necessary for departmental administration in carrying out*  
16 *the purposes of the Department of Energy Organization Act*  
17 *(42 U.S.C. 7101 et seq.), including the hire of passenger*  
18 *motor vehicles and official reception and representation ex-*  
19 *penses (not to exceed \$35,000), \$235,000,000, to remain*  
20 *available until expended, plus such additional amounts as*  
21 *necessary to cover increases in the estimated amount of cost*  
22 *of work for others notwithstanding the provisions of the*  
23 *Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,*  
24 *That such increases in cost of work are offset by revenue*  
25 *increases of the same or greater amount, to remain avail-*

1 *able until expended: Provided further, That moneys received*  
2 *by the Department for miscellaneous revenues estimated to*  
3 *total \$137,524,000 in fiscal year 2003 may be retained and*  
4 *used for operating expenses within this account, and may*  
5 *remain available until expended, as authorized by section*  
6 *201 of Public Law 95–238, notwithstanding the provisions*  
7 *of 31 U.S.C. 3302: Provided further, That the sum herein*  
8 *appropriated shall be reduced by the amount of miscella-*  
9 *neous revenues received during fiscal year 2003 so as to*  
10 *result in a final fiscal year 2003 appropriation from the*  
11 *General Fund estimated at not more than \$97,476,000.*

12 *OFFICE OF THE INSPECTOR GENERAL*

13 *For necessary expenses of the Office of the Inspector*  
14 *General in carrying out the provisions of the Inspector Gen-*  
15 *eral Act of 1978, as amended, \$37,671,000, to remain avail-*  
16 *able until expended.*

17 *ATOMIC ENERGY DEFENSE ACTIVITIES*

18 *NATIONAL NUCLEAR SECURITY ADMINISTRATION*

19 *WEAPONS ACTIVITIES*

20 *For Department of Energy expenses, including the*  
21 *purchase, construction and acquisition of plant and capital*  
22 *equipment and other incidental expenses necessary for*  
23 *atomic energy defense weapons activities in carrying out*  
24 *the purposes of the Department of Energy Organization Act*  
25 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*

1 *demnation of any real property or any facility or for plant*  
2 *or facility acquisition, construction, or expansion; and the*  
3 *purchase of passenger motor vehicles (not to exceed one for*  
4 *replacement only), \$6,108,959,000, to remain available*  
5 *until expended: Provided, That \$16,000,000 is authorized*  
6 *to be appropriated for Project 03-D-103, LANL adminis-*  
7 *tration building, Los Alamos National Laboratory, Los Al-*  
8 *amos, New Mexico: Provided further, That \$123,000,000 is*  
9 *authorized to be appropriated for Project 01-D-108, Micro-*  
10 *systems and engineering sciences applications (MESA),*  
11 *Sandia National Laboratories, Albuquerque, New Mexico.*

12 *DEFENSE NUCLEAR NONPROLIFERATION*

13 *For Department of Energy expenses, including the*  
14 *purchase, construction and acquisition of plant and capital*  
15 *equipment and other incidental expenses necessary for*  
16 *atomic energy defense, Defense Nuclear Nonproliferation ac-*  
17 *tivities, in carrying out the purposes of the Department of*  
18 *Energy Organization Act (42 U.S.C. 7101 et seq.), includ-*  
19 *ing the acquisition or condemnation of any real property*  
20 *or any facility or for plant or facility acquisition, construc-*  
21 *tion, or expansion, \$1,115,630,000, to remain available*  
22 *until expended.*

23 *NAVAL REACTORS*

24 *For Department of Energy expenses necessary for*  
25 *naval reactors activities to carry out the Department of En-*  
26 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*

1 *the acquisition (by purchase, condemnation, construction,*  
2 *or otherwise) of real property, plant, and capital equip-*  
3 *ment, facilities, and facility expansion, \$706,790,000, to re-*  
4 *main available until expended.*

5 *OFFICE OF THE ADMINISTRATOR*

6 *For necessary expenses of the Office of the Adminis-*  
7 *trator of the National Nuclear Security Administration, in-*  
8 *cluding official reception and representation expenses (not*  
9 *to exceed \$12,000), \$335,929,000, to remain available until*  
10 *expended.*

11 *OTHER DEFENSE RELATED ACTIVITIES*

12 *DEFENSE ENVIRONMENTAL RESTORATION AND WASTE*

13 *MANAGEMENT*

14 *For Department of Energy expenses, including the*  
15 *purchase, construction and acquisition of plant and capital*  
16 *equipment and other expenses necessary for atomic energy*  
17 *defense environmental restoration and waste management*  
18 *activities in carrying out the purposes of the Department*  
19 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*  
20 *cluding the acquisition or condemnation of any real prop-*  
21 *erty or any facility or for plant or facility acquisition, con-*  
22 *struction, or expansion; and the purchase of 24 passenger*  
23 *motor vehicles for replacement only, \$5,370,532,000, to re-*  
24 *main available until expended.*

1            *DEFENSE FACILITIES CLOSURE PROJECTS*

2            *For expenses of the Department of Energy to accelerate*  
3 *the closure of defense environmental management sites, in-*  
4 *cluding the purchase, construction and acquisition of plant*  
5 *and capital equipment and other necessary expenses,*  
6 *\$1,125,314,000, to remain available until expended.*

7            *DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION*

8            *For Department of Energy expenses for privatization*  
9 *projects necessary for atomic energy defense environmental*  
10 *management activities authorized by the Department of*  
11 *Energy Organization Act (42 U.S.C. 7101 et seq.),*  
12 *\$158,399,000, to remain available until expended.*

13            *OTHER DEFENSE ACTIVITIES*

14            *For Department of Energy expenses, including the*  
15 *purchase, construction and acquisition of plant and capital*  
16 *equipment and other expenses necessary for atomic energy*  
17 *defense, other defense activities, in carrying out the pur-*  
18 *poses of the Department of Energy Organization Act (42*  
19 *U.S.C. 7101 et seq.), including the acquisition or con-*  
20 *demnation of any real property or any facility or for plant*  
21 *or facility acquisition, construction, or expansion,*  
22 *\$537,664,000, to remain available until expended.*

23            *DEFENSE NUCLEAR WASTE DISPOSAL*

24            *For nuclear waste disposal activities to carry out the*  
25 *purposes of Public Law 97-425, as amended, including the*

1 *acquisition of real property or facility construction or ex-*  
2 *pansion, \$280,000,000, to remain available until expended.*

3 *POWER MARKETING ADMINISTRATIONS*

4 *BONNEVILLE POWER ADMINISTRATION FUND*

5 *Expenditures from the Bonneville Power Administra-*  
6 *tion Fund, established pursuant to Public Law 93-454, are*  
7 *approved for official reception and representation expenses*  
8 *in an amount not to exceed \$1,500. During fiscal year 2003,*  
9 *no new direct loan obligations may be made.*

10 *For the purposes of providing funds to assist in financ-*  
11 *ing the construction, acquisition, and replacement of the*  
12 *transmission system of the Bonneville Power Administra-*  
13 *tion and to implement the authority of the Administrator*  
14 *under the Pacific Northwest Electric Power Planning and*  
15 *Conservation Act (16 U.S.C. 839 et seq.), an additional*  
16 *\$700,000,000 in borrowing authority is made available*  
17 *under the Federal Columbia River Transmission System*  
18 *Act (16 U.S.C. 838 et seq.), to remain outstanding at any*  
19 *time: Provided, That the Bonneville Power Administration*  
20 *shall not use more than \$531,000,000 of its permanent bor-*  
21 *rowing authority in fiscal year 2003.*

22 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*  
23 *ADMINISTRATION*

24 *For necessary expenses of operation and maintenance*  
25 *of power transmission facilities and of marketing electric*



1 *power and energy, including transmission wheeling and*  
2 *ancillary services, pursuant to the provisions of section 5*  
3 *of the Flood Control Act of 1944 (16 U.S.C. 825s), as ap-*  
4 *plied to the southeastern power area, \$4,534,000, to remain*  
5 *available until expended; in addition, notwithstanding the*  
6 *provisions of 31 U.S.C. 3302, up to \$14,463,000 collected*  
7 *by the Southeastern Power Administration pursuant to the*  
8 *Flood Control Act to recover purchase power and wheeling*  
9 *expenses shall be credited to this account as offsetting collec-*  
10 *tions, to remain available until expended for the sole pur-*  
11 *pose of making purchase power and wheeling expenditures.*

12 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*  
13 *ADMINISTRATION*

14 *For necessary expenses of operation and maintenance*  
15 *of power transmission facilities and of marketing electric*  
16 *power and energy, and for construction and acquisition of*  
17 *transmission lines, substations and appurtenant facilities,*  
18 *and for administrative expenses, including official recep-*  
19 *tion and representation expenses in an amount not to ex-*  
20 *ceed \$1,500 in carrying out the provisions of section 5 of*  
21 *the Flood Control Act of 1944 (16 U.S.C. 825s), as applied*  
22 *to the southwestern power area, \$27,378,000, to remain*  
23 *available until expended; in addition, notwithstanding the*  
24 *provisions of 31 U.S.C. 3302, not to exceed \$16,455,000 in*  
25 *reimbursements, to remain available until expended: Pro-*

1 *vided, That up to \$1,912,000 collected by the Southwestern*  
2 *Power Administration pursuant to the Flood Control Act*  
3 *to recover purchase power and wheeling expenses shall be*  
4 *credited to this account as offsetting collections, to remain*  
5 *available until expended for the sole purpose of making pur-*  
6 *chase power and wheeling expenditures.*

7 *CONSTRUCTION, REHABILITATION, OPERATION AND*

8 *MAINTENANCE, WESTERN AREA POWER ADMINISTRATION*

9 *For carrying out the functions authorized by title III,*  
10 *section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.*  
11 *7152), and other related activities including conservation*  
12 *and renewable resources programs as authorized, including*  
13 *official reception and representation expenses in an amount*  
14 *not to exceed \$1,500, \$168,858,000, to remain available*  
15 *until expended, of which \$156,124,000 shall be derived from*  
16 *the Department of the Interior Reclamation Fund: Pro-*  
17 *vided, That of the amount herein appropriated, \$6,100,000*  
18 *is for deposit into the Utah Reclamation Mitigation and*  
19 *Conservation Account pursuant to title IV of the Reclama-*  
20 *tion Projects Authorization and Adjustment Act of 1992:*  
21 *Provided further, That up to \$186,124,000 collected by the*  
22 *Western Area Power Administration pursuant to the Flood*  
23 *Control Act of 1944 and the Reclamation Project Act of*  
24 *1939 to recover purchase power and wheeling expenses shall*  
25 *be credited to this account as offsetting collections, to re-*  
26 *main available until expended for the sole purpose of mak-*

1 *ing purchase power and wheeling expenditures: Provided*  
 2 *further, That, of the amounts appropriated, not less than*  
 3 *\$400,000 to be spent as described in House Report 107-*  
 4 *258 under this heading shall be nonreimbursable: Provided*  
 5 *further, That, of the amount appropriated for corridor re-*  
 6 *view and environmental review required for the construc-*  
 7 *tion of a 230 kv transmission line between Belfield and*  
 8 *Hettinger, not less than \$200,000 shall be provided for cor-*  
 9 *ridor review and environmental review for the construction*  
 10 *of a high voltage line in Western North Dakota that would*  
 11 *facilitate the upgrade of the Miles City DC tie.*

12 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*

13 *FUND*

14 *For operation, maintenance, and emergency costs for*  
 15 *the hydroelectric facilities at the Falcon and Amistad*  
 16 *Dams, \$2,734,000, to remain available until expended, and*  
 17 *to be derived from the Falcon and Amistad Operating and*  
 18 *Maintenance Fund of the Western Area Power Administra-*  
 19 *tion, as provided in section 423 of the Foreign Relations*  
 20 *Authorization Act, Fiscal Years 1994 and 1995.*

21 *FEDERAL ENERGY REGULATORY COMMISSION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Federal Energy Regu-*  
 24 *latory Commission to carry out the provisions of the De-*  
 25 *partment of Energy Organization Act (42 U.S.C. 7101 et*

1 *seq.), including services as authorized by 5 U.S.C. 3109,*  
2 *the hire of passenger motor vehicles, and official reception*  
3 *and representation expenses (not to exceed \$3,000),*  
4 *\$192,000,000, to remain available until expended: Pro-*  
5 *vided, That notwithstanding any other provision of law, not*  
6 *to exceed \$192,000,000 of revenues from fees and annual*  
7 *charges, and other services and collections in fiscal year*  
8 *2003 shall be retained and used for necessary expenses in*  
9 *this account, and shall remain available until expended:*  
10 *Provided further, That the sum herein appropriated from*  
11 *the General Fund shall be reduced as revenues are received*  
12 *during fiscal year 2003 so as to result in a final fiscal year*  
13 *2003 appropriation from the General Fund estimated at*  
14 *not more than \$0.*

15 **GENERAL PROVISIONS**

16 **DEPARTMENT OF ENERGY**

17 *SEC. 301. (a) None of the funds appropriated by this*  
18 *Act may be used to award a management and operating*  
19 *contract unless such contract is awarded using competitive*  
20 *procedures or the Secretary of Energy grants, on a case-*  
21 *by-case basis, a waiver to allow for such a deviation. The*  
22 *Secretary may not delegate the authority to grant such a*  
23 *waiver.*

24 *(b) At least 60 days before a contract award, amend-*  
25 *ment, or modification for which the Secretary intends to*

1 *grant such a waiver, the Secretary shall submit to the Sub-*  
2 *committees on Energy and Water Development of the Com-*  
3 *mittees on Appropriations of the House of Representatives*  
4 *and the Senate a report notifying the subcommittees of the*  
5 *waiver and setting forth the reasons for the waiver.*

6 *SEC. 302. None of the funds appropriated by this Act*  
7 *may be used to—*

8 *(1) develop or implement a workforce restruc-*  
9 *turing plan that covers employees of the Department*  
10 *of Energy; or*

11 *(2) provide enhanced severance payments or*  
12 *other benefits for employees of the Department of En-*  
13 *ergy,*

14 *under section 3161 of the National Defense Authorization*  
15 *Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.*  
16 *2644; 42 U.S.C. 7274h).*

17 *SEC. 303. None of the funds appropriated by this Act*  
18 *may be used to augment the \$22,965,000 made available*  
19 *for obligation by this Act for severance payments and other*  
20 *benefits and community assistance grants under section*  
21 *3161 of the National Defense Authorization Act for Fiscal*  
22 *Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C.*  
23 *7274h) unless the Department of Energy submits a re-*  
24 *programming request subject to approval by the appro-*  
25 *priate Congressional committees.*

1        *SEC. 304. None of the funds appropriated by this Act*  
2 *may be used to prepare or initiate Requests For Proposals*  
3 *(RFPs) for a program if the program has not been funded*  
4 *by Congress.*

5                    *(TRANSFERS OF UNEXPENDED BALANCES)*

6        *SEC. 305. The unexpended balances of prior appro-*  
7 *priations provided for activities in this Act may be trans-*  
8 *ferred to appropriation accounts for such activities estab-*  
9 *lished pursuant to this title. Balances so transferred may*  
10 *be merged with funds in the applicable established accounts*  
11 *and thereafter may be accounted for as one fund for the*  
12 *same time period as originally enacted.*

13        *SEC. 306. None of the funds in this Act may be used*  
14 *to dispose of transuranic waste in the Waste Isolation Pilot*  
15 *Plant which contains concentrations of plutonium in excess*  
16 *of 20 percent by weight for the aggregate of any material*  
17 *category on the date of enactment of this Act, or is generated*  
18 *after such date. For the purposes of this section, the mate-*  
19 *rial categories of transuranic waste at the Rocky Flats En-*  
20 *vironmental Technology Site include: (1) ash residues; (2)*  
21 *salt residues; (3) wet residues; (4) direct repackaging residues;*  
22 *and (5) scrub alloy as referenced in the "Final Environ-*  
23 *mental Impact Statement on Management of Certain Pluto-*  
24 *onium Residues and Scrub Alloy Stored at the Rocky Flats*  
25 *Environmental Technology Site".*

1        *SEC. 307. The Administrator of the National Nuclear*  
2 *Security Administration may authorize the plant manager*  
3 *of a covered nuclear weapons production plant to engage*  
4 *in research, development, and demonstration activities with*  
5 *respect to the engineering and manufacturing capabilities*  
6 *at such plant in order to maintain and enhance such capa-*  
7 *bilities at such plant: Provided, That of the amount allo-*  
8 *cated to a covered nuclear weapons production plant each*  
9 *fiscal year from amounts available to the Department of*  
10 *Energy for such fiscal year for national security programs,*  
11 *not more than an amount equal to 2 percent of such amount*  
12 *may be used for these activities: Provided further, That for*  
13 *purposes of this section, the term “covered nuclear weapons*  
14 *production plant” means the following:*

15            (1) *The Kansas City Plant, Kansas City, Mis-*  
16            *souri.*

17            (2) *The Y-12 Plant, Oak Ridge, Tennessee.*

18            (3) *The Pantex Plant, Amarillo, Texas.*

19            (4) *The Savannah River Plant, South Carolina.*

20        *SEC. 308. The Administrator of the National Nuclear*  
21 *Security Administration may authorize the manager of the*  
22 *Nevada Operations Office to engage in research, develop-*  
23 *ment, and demonstration activities with respect to the de-*  
24 *velopment, test, and evaluation capabilities necessary for*  
25 *operations and readiness of the Nevada Test Site: Provided,*

1 *That of the amount allocated to the Nevada Operations Of-*  
2 *fice each fiscal year from amounts available to the Depart-*  
3 *ment of Energy for such fiscal year for national security*  
4 *programs at the Nevada Test Site, not more than an*  
5 *amount equal to 2 percent of such amount may be used*  
6 *for these activities.*

7       *SEC. 309. Funds appropriated in Public Law 107-066*  
8 *for the Kachemak Bay submarine cable project may be*  
9 *available to reimburse the local sponsor for the federal share*  
10 *of the project costs assumed by the local sponsor prior to*  
11 *final passage of that Act.*

12       *SEC. 310. STAY AND REINSTATEMENT OF FERC LI-*  
13 *CENSE NO. 11393. (a) Upon the request of the licensee for*  
14 *FERC Project No. 11393, the Federal Energy Regulatory*  
15 *Commission shall issue an order staying the license.*

16       *(b) Upon the request of the licensee for FERC Project*  
17 *No. 11393, but not later than 6 years after the date that*  
18 *the Federal Energy Regulatory Commission receives written*  
19 *notice that construction of the Swan-Tyee transmission line*  
20 *is completed, the Federal Energy Regulatory Commission*  
21 *shall issue an order lifting the stay and make the effective*  
22 *date of the license the date on which the stay is lifted.*

23       *(c) Upon request of the licensee for FERC Project No.*  
24 *11393 and notwithstanding the time period specified in sec-*  
25 *tion 13 of the Federal Power Act for the commencement of*



1 *construction, the Commission shall, after reasonable notice*  
2 *and in accordance with the good faith, due diligence, and*  
3 *public interest requirements of that section, extend the time*  
4 *period during which licensee is required to commence the*  
5 *construction of the project for not more than one 2-year*  
6 *time period.*

7       *SEC. 311. (a) None of the funds made available under*  
8 *the accounts “non-defense environmental management”,*  
9 *“uranium facilities maintenance and remediation”, “de-*  
10 *fense environmental restoration and waste management”,*  
11 *or “defense facilities closure projects” may be obligated at*  
12 *a Department of Energy site or laboratory, or in associa-*  
13 *tion with a site or laboratory, if the effect of such would*  
14 *result in the Department of Energy exceeding for that site*  
15 *or laboratory the comparable current-year level of funding,*  
16 *or the amount of the fiscal year 2003 budget request, which-*  
17 *ever is greater.*

18       *(b) The limitation of subsection (a) will not apply to*  
19 *a site or laboratory after such time that the Department*  
20 *has entered into a final revised clean-up agreement and a*  
21 *final performance management plan for that site or labora-*  
22 *tory consistent with the intent of the Department’s environ-*  
23 *mental management acceleration and reform initiative.*

24       *SEC. 312. GAO STUDY ON SUBTITLE D OF THE EN-*  
25 *ERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION*

1 *PROGRAM ACT. (a) STUDY.—The General Accounting Office*  
2 *(in this section referred to as the “GAO”) shall conduct a*  
3 *study on the effectiveness of the benefit program under sub-*  
4 *title D of the Energy Employees Occupational Illness Com-*  
5 *pensation Program Act of 2000 (42 U.S.C. 7385o) in assist-*  
6 *ing the Department of Energy (in this section referred to*  
7 *as the “DOE”) contractor employees in obtaining com-*  
8 *pensation for occupational illness.*

9 *(b) REPORT TO CONGRESS.—Not later than 120 days*  
10 *after the date of enactment of this Act, the GAO shall submit*  
11 *a report to the Senate Energy and Natural Resources Com-*  
12 *mittee and the House of Representative Energy and Com-*  
13 *merce Committee on the results of the study conducted*  
14 *under subsection (a).*

15 *SEC. 313. GAO STUDY OF CLEANUP AT THE PADUCAH*  
16 *GASEOUS DIFFUSION PLANT IN PADUCAH, KENTUCKY. (a)*  
17 *STUDY.—The General Accounting Office (in this section re-*  
18 *ferred to as the “GAO”) shall conduct a study of the cleanup*  
19 *progress at the Paducah Gaseous Diffusion Plant in Padu-*  
20 *cah, Kentucky.*

21 *(b) REPORT TO CONGRESS.—Not later than six months*  
22 *after the date of enactment of this Act, the GAO shall submit*  
23 *a report to the Senate Energy and Natural Resources Com-*  
24 *mittee and the House of Representatives Energy and Com-*

1 *merce Committee on the results of the study conducted*  
2 *under subsection (a).*

3       *SEC. 314. None of the funds appropriated by this or*  
4 *any other Act may be used to defer, deobligate, withdraw*  
5 *to headquarters, reserve for contemplated future rescissions,*  
6 *or otherwise adversely affect the planned and continuing*  
7 *expenditure of funds previously made available for Cerro*  
8 *Grande Fire Activities in Public Law 106–246 and Public*  
9 *Law 106–377.*

10       *SEC. 315. Notwithstanding any other provision of law,*  
11 *the National Nuclear Security Administration is prohibited*  
12 *from taking any actions adversely affecting employment at*  
13 *its Nevada Operations Office for a period of not less than*  
14 *365 days.*

15       *SEC. 316. The Secretary of the Interior, and the heads*  
16 *of other participating Federal agencies, may participate in*  
17 *the CALFED Bay-Delta Authority established by the Cali-*  
18 *fornia Bay-Delta Act (2002 Cal. Stat. Chap. 812), to the*  
19 *extent not inconsistent with other law. The Secretary of the*  
20 *Interior, in carrying out CALFED activities, may under-*  
21 *take feasibility studies for Sites Reservoir, Los Vaqueros*  
22 *Enlargement, In-Delta Storage, and Upper San Joaquin*  
23 *Storage projects. These storage studies should be pursued*  
24 *along with on-going environmental and other projects in*  
25 *a balanced manner.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

*TITLE IV*

*INDEPENDENT AGENCIES*

*APPALACHIAN REGIONAL COMMISSION*

*For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act and for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$74,400,000, to remain available until expended.*

*DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

*SALARIES AND EXPENSES*

*For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$19,000,000, to remain available until expended.*

*DELTA REGIONAL AUTHORITY*

*SALARIES AND EXPENSES*

*For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding section*

1 382N of said Act, \$15,000,000, to remain available until  
2 expended.

3 *DENALI COMMISSION*

4 *For expenses of the Denali Commission including the*  
5 *purchase, construction and acquisition of plant and capital*  
6 *equipment as necessary and other expenses, \$50,000,000, to*  
7 *remain available until expended.*

8 *NUCLEAR REGULATORY COMMISSION*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Commission in carrying*  
11 *out the purposes of the Energy Reorganization Act of 1974,*  
12 *as amended, and the Atomic Energy Act of 1954, as amend-*  
13 *ed, including official representation expenses (not to exceed*  
14 *\$15,000), and purchase of promotional items for use in the*  
15 *recruitment of individuals for employment, \$578,184,000,*  
16 *to remain available until expended: Provided, That of the*  
17 *amount appropriated herein, \$24,900,000 shall be derived*  
18 *from the Nuclear Waste Fund: Provided further, That reve-*  
19 *nues from licensing fees, inspection services, and other serv-*  
20 *ices and collections estimated at \$520,087,000 in fiscal year*  
21 *2003 shall be retained and used for necessary salaries and*  
22 *expenses in this account, notwithstanding 31 U.S.C. 3302,*  
23 *and shall remain available until expended: Provided fur-*  
24 *ther, That the sum herein appropriated shall be reduced by*  
25 *the amount of revenues received during fiscal year 2003 so*

1 *as to result in a final fiscal year 2003 appropriation esti-*  
 2 *mated at not more than \$58,097,000.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For necessary expenses of the Office of Inspector Gen-*  
 5 *eral in carrying out the provisions of the Inspector General*  
 6 *Act of 1978, as amended, \$6,800,000, to remain available*  
 7 *until expended: Provided, That revenues from licensing fees,*  
 8 *inspection services, and other services and collections esti-*  
 9 *mated at \$6,392,000 in fiscal year 2003 shall be retained*  
 10 *and be available until expended, for necessary salaries and*  
 11 *expenses in this account notwithstanding 31 U.S.C. 3302:*  
 12 *Provided further, That the sum herein appropriated shall*  
 13 *be reduced by the amount of revenues received during fiscal*  
 14 *year 2003 so as to result in a final fiscal year 2003 appro-*  
 15 *priation estimated at not more than \$408,000.*

16 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Nuclear Waste Technical*  
 19 *Review Board, as authorized by Public Law 100-203, sec-*  
 20 *tion 5051, \$3,200,000, to be derived from the Nuclear Waste*  
 21 *Fund, and to remain available until expended.*

22 *TITLE V*

23 *GENERAL PROVISIONS*

24 *SEC. 501. None of the funds appropriated by this Act*  
 25 *may be used in any way, directly or indirectly, to influence*

1 congressional action on any legislation or appropriation  
2 matters pending before Congress, other than to commu-  
3 nicate to Members of Congress as described in section 1913  
4 of title 18, United States Code.

5       *SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIP-*  
6 *MENT AND PRODUCTS.—It is the sense of the Congress that,*  
7 *to the greatest extent practicable, all equipment and prod-*  
8 *ucts purchased with funds made available in this Act should*  
9 *be American-made.*

10       *(b) NOTICE REQUIREMENT.—In providing financial*  
11 *assistance to, or entering into any contract with, any entity*  
12 *using funds made available in this Act, the head of each*  
13 *Federal agency, to the greatest extent practicable, shall pro-*  
14 *vide to such entity a notice describing the statement made*  
15 *in subsection (a) by the Congress.*

16       *(c) PROHIBITION OF CONTRACTS WITH PERSONS*  
17 *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*  
18 *If it has been finally determined by a court or Federal agen-*  
19 *cy that any person intentionally affixed a label bearing a*  
20 *“Made in America” inscription, or any inscription with*  
21 *the same meaning, to any product sold in or shipped to*  
22 *the United States that is not made in the United States,*  
23 *the person shall be ineligible to receive any contract or sub-*  
24 *contract made with funds made available in this Act, pur-*  
25 *suant to the debarment, suspension, and ineligibility proce-*

1 *dures described in sections 9.400 through 9.409 of title 48,*  
 2 *Code of Federal Regulations.*

3 *SEC. 503. Section 309 of Title III—Denali Commis-*  
 4 *sion of Division C—Other Matters of Public Law 105–277,*  
 5 *as amended, is further amended by striking “2003” and*  
 6 *inserting in lieu thereof “thereafter”.*

7 *This division may be cited as the “Energy and Water*  
 8 *Development Appropriations Act, 2003”.*

9 *DIVISION E—FOREIGN OPERATIONS, EXPORT FI-*  
 10 *NANCING, AND RELATED PROGRAMS APPRO-*  
 11 *PRIATIONS, 2003*

12 *Making appropriations for foreign operations, export fi-*  
 13 *nancing, and related programs for the fiscal year end-*  
 14 *ing September 30, 2003, and for other purposes.*

15 *That the following sums are appropriated, out of any*  
 16 *money in the Treasury not otherwise appropriated, for the*  
 17 *fiscal year ending September 30, 2003, and for other pur-*  
 18 *poses, namely:*

19 *TITLE I—EXPORT AND INVESTMENT ASSISTANCE*  
 20 *EXPORT-IMPORT BANK OF THE UNITED STATES*

21 *The Export-Import Bank of the United States is au-*  
 22 *thorized to make such expenditures within the limits of*  
 23 *funds and borrowing authority available to such corpora-*  
 24 *tion, and in accordance with law, and to make such con-*  
 25 *tracts and commitments without regard to fiscal year limi-*



1 *tations, as provided by section 104 of the Government Cor-*  
2 *poration Control Act, as may be necessary in carrying out*  
3 *the program for the current fiscal year for such corporation:*  
4 *Provided, That none of the funds available during the cur-*  
5 *rent fiscal year may be used to make expenditures, con-*  
6 *tracts, or commitments for the export of nuclear equipment,*  
7 *fuel, or technology to any country, other than a nuclear-*  
8 *weapon state as defined in Article IX of the Treaty on the*  
9 *Non-Proliferation of Nuclear Weapons eligible to receive*  
10 *economic or military assistance under this Act, that has*  
11 *detonated a nuclear explosive after the date of the enactment*  
12 *of this Act: Provided further, That notwithstanding section*  
13 *1(c) of Public Law 103-428, as amended, sections 1(a) and*  
14 *(b) of Public Law 103-428 shall remain in effect through*  
15 *September 30, 2003.*

16 *SUBSIDY APPROPRIATION*

17 *For the cost of direct loans, loan guarantees, insurance,*  
18 *and tied-aid grants as authorized by section 10 of the Ex-*  
19 *port-Import Bank Act of 1945, as amended, \$541,400,000,*  
20 *to remain available until September 30, 2006: Provided,*  
21 *That such costs, including the cost of modifying such loans,*  
22 *shall be as defined in section 502 of the Congressional Budg-*  
23 *et Act of 1974: Provided further, That such sums shall re-*  
24 *main available until September 30, 2021 for the disburse-*  
25 *ment of direct loans, loan guarantees, insurance and tied-*  
26 *aid grants obligated in fiscal years 2003, 2004, 2005, and*

1 2006: *Provided further, That none of the funds appro-*  
2 *priated by this Act or any prior Act appropriating funds*  
3 *for foreign operations, export financing, and related pro-*  
4 *grams for tied-aid credits or grants may be used for any*  
5 *other purpose except through the regular notification proce-*  
6 *dures of the Committees on Appropriations: Provided fur-*  
7 *ther, That funds appropriated by this paragraph are made*  
8 *available notwithstanding section 2(b)(2) of the Export-Im-*  
9 *port Bank Act of 1945, in connection with the purchase*  
10 *or lease of any product by any East European country,*  
11 *any Baltic State or any agency or national thereof.*

12 *ADMINISTRATIVE EXPENSES*

13 *For administrative expenses to carry out the direct*  
14 *and guaranteed loan and insurance programs, including*  
15 *hire of passenger motor vehicles and services as authorized*  
16 *by 5 U.S.C. 3109, and not to exceed \$30,000 for official*  
17 *reception and representation expenses for members of the*  
18 *Board of Directors, \$68,300,000: Provided, That the Ex-*  
19 *port-Import Bank may accept, and use, payment or services*  
20 *provided by transaction participants for legal, financial,*  
21 *or technical services in connection with any transaction for*  
22 *which an application for a loan, guarantee or insurance*  
23 *commitment has been made: Provided further, That, not-*  
24 *withstanding subsection (b) of section 117 of the Export En-*  
25 *hancement Act of 1992, subsection (a) thereof shall remain*  
26 *in effect until October 1, 2003.*

1            *OVERSEAS PRIVATE INVESTMENT CORPORATION*2                            *NONCREDIT ACCOUNT*

3            *The Overseas Private Investment Corporation is au-*  
4 *thorized to make, without regard to fiscal year limitations,*  
5 *as provided by 31 U.S.C. 9104, such expenditures and com-*  
6 *mitments within the limits of funds available to it and in*  
7 *accordance with law as may be necessary: Provided, That*  
8 *the amount available for administrative expenses to carry*  
9 *out the credit and insurance programs (including an*  
10 *amount for official reception and representation expenses*  
11 *which shall not exceed \$35,000) shall not exceed*  
12 *\$39,885,000: Provided further, That project-specific trans-*  
13 *action costs, including direct and indirect costs incurred*  
14 *in claims settlements, and other direct costs associated with*  
15 *services provided to specific investors or potential investors*  
16 *pursuant to section 234 of the Foreign Assistance Act of*  
17 *1961, shall not be considered administrative expenses for*  
18 *the purposes of this heading.*

19                            *PROGRAM ACCOUNT*

20            *For the cost of direct and guaranteed loans,*  
21 *\$24,000,000, as authorized by section 234 of the Foreign*  
22 *Assistance Act of 1961, to be derived by transfer from the*  
23 *Overseas Private Investment Corporation Non-Credit Ac-*  
24 *count: Provided, That such costs, including the cost of modi-*  
25 *fying such loans, shall be as defined in section 502 of the*  
26 *Congressional Budget Act of 1974: Provided further, That*

1 *such sums shall be available for direct loan obligations and*  
 2 *loan guaranty commitments incurred or made during fiscal*  
 3 *years 2003 and 2004: Provided further, That such sums*  
 4 *shall remain available through fiscal year 2011 for the dis-*  
 5 *bursement of direct and guaranteed loans obligated in fiscal*  
 6 *year 2003, and through fiscal year 2012 for the disburse-*  
 7 *ment of direct and guaranteed loans obligated in fiscal year*  
 8 *2004.*

9 *In addition, such sums as may be necessary for admin-*  
 10 *istrative expenses to carry out the credit program may be*  
 11 *derived from amounts available for administrative expenses*  
 12 *to carry out the credit and insurance programs in the Over-*  
 13 *seas Private Investment Corporation Noncredit Account*  
 14 *and merged with said account.*

15 *FUNDS APPROPRIATED TO THE PRESIDENT*

16 *TRADE AND DEVELOPMENT AGENCY*

17 *For necessary expenses to carry out the provisions of*  
 18 *section 661 of the Foreign Assistance Act of 1961,*  
 19 *\$44,696,000, to remain available until September 30, 2004.*

20 *TITLE II—BILATERAL ECONOMIC ASSISTANCE*

21 *FUNDS APPROPRIATED TO THE PRESIDENT*

22 *For expenses necessary to enable the President to carry*  
 23 *out the provisions of the Foreign Assistance Act of 1961,*  
 24 *and for other purposes, to remain available until September*  
 25 *30, 2003, unless otherwise specified herein, as follows:*



1 *programs: Provided further, That the following amounts*  
2 *should be allocated as follows: \$350,000,000 for child sur-*  
3 *vival and maternal health; \$25,000,000 for vulnerable chil-*  
4 *dren; \$541,500,000 for HIV/AIDS including not less than*  
5 *\$18,000,000 which shall be made available to support the*  
6 *development of microbicides as a means for combating HIV/*  
7 *AIDS; \$185,000,000 for other infectious diseases, of which*  
8 *not less than \$65,000,000 should be made available for the*  
9 *prevention, treatment, and control of, and research on, tu-*  
10 *berculosis, and of which not less than \$75,000,000 should*  
11 *be made available to combat malaria; \$385,000,000 for*  
12 *family planning/reproductive health, including in areas*  
13 *where population growth threatens biodiversity or endan-*  
14 *gered species; and \$120,000,000 for UNICEF: Provided fur-*  
15 *ther, That of the funds appropriated under this heading,*  
16 *and in addition to funds allocated under the previous pro-*  
17 *viso, \$200,000,000 shall be made available, notwithstanding*  
18 *any other provision of law, for a United States contribution*  
19 *to the Global Fund to Fight AIDS, Tuberculosis and Ma-*  
20 *laria, and shall be expended at the minimum rate necessary*  
21 *to make timely payment for projects and activities: Pro-*  
22 *vided further, That of the funds appropriated under this*  
23 *heading that are available for HIV/AIDS programs and ac-*  
24 *tivities, up to \$60,000,000 should be made available for a*  
25 *United States contribution to The Vaccine Fund, up to*

1 \$12,000,000 should be made available for the International  
2 AIDS Vaccine Initiative, and \$100,000,000 should be made  
3 available for the International Mother and Child HIV Pre-  
4 vention Initiative: Provided further, That notwithstanding  
5 any other provision of this Act, funds appropriated under  
6 this heading that are available for child survival and health  
7 programs shall be apportioned to the United States Agency  
8 for International Development, and the authority of sec-  
9 tions 632(a) or 632(b) of the Foreign Assistance Act of 1961,  
10 or any comparable provision of law, may not be used to  
11 transfer or allocate any part of such funds to the Depart-  
12 ment of Health and Human Services including any office  
13 of that agency, except that the authority of those sections  
14 may be used to transfer or allocate up to \$25,000,000 of  
15 such funds to the Centers for Disease Control and Preven-  
16 tion: Provided further, That none of the funds made avail-  
17 able in this Act nor any unobligated balances from prior  
18 appropriations may be made available to any organization  
19 or program which, as determined by the President of the  
20 United States, supports or participates in the management  
21 of a program of coercive abortion or involuntary steriliza-  
22 tion: Provided further, That none of the funds made avail-  
23 able under this Act may be used to pay for the performance  
24 of abortion as a method of family planning or to motivate  
25 or coerce any person to practice abortions: Provided further,

1 *That none of the funds made available under this Act may*  
2 *be used to lobby for or against abortion: Provided further,*  
3 *That in order to reduce reliance on abortion in developing*  
4 *nations, funds shall be available only to voluntary family*  
5 *planning projects which offer, either directly or through re-*  
6 *ferral to, or information about access to, a broad range of*  
7 *family planning methods and services, and that any such*  
8 *voluntary family planning project shall meet the following*  
9 *requirements: (1) service providers or referral agents in the*  
10 *project shall not implement or be subject to quotas, or other*  
11 *numerical targets, of total number of births, number of fam-*  
12 *ily planning acceptors, or acceptors of a particular method*  
13 *of family planning (this provision shall not be construed*  
14 *to include the use of quantitative estimates or indicators*  
15 *for budgeting and planning purposes); (2) the project shall*  
16 *not include payment of incentives, bribes, gratuities, or fi-*  
17 *nancial reward to: (A) an individual in exchange for be-*  
18 *coming a family planning acceptor; or (B) program per-*  
19 *sonnel for achieving a numerical target or quota of total*  
20 *number of births, number of family planning acceptors, or*  
21 *acceptors of a particular method of family planning; (3)*  
22 *the project shall not deny any right or benefit, including*  
23 *the right of access to participate in any program of general*  
24 *welfare or the right of access to health care, as a consequence*  
25 *of any individual's decision not to accept family planning*



1 services; (4) the project shall provide family planning ac-  
2 ceptors comprehensible information on the health benefits  
3 and risks of the method chosen, including those conditions  
4 that might render the use of the method inadvisable and  
5 those adverse side effects known to be consequent to the use  
6 of the method; and (5) the project shall ensure that experi-  
7 mental contraceptive drugs and devices and medical proce-  
8 dures are provided only in the context of a scientific study  
9 in which participants are advised of potential risks and  
10 benefits; and, not less than 60 days after the date on which  
11 the Administrator of the United States Agency for Inter-  
12 national Development determines that there has been a vio-  
13 lation of the requirements contained in paragraph (1), (2),  
14 (3), or (5) of this proviso, or a pattern or practice of viola-  
15 tions of the requirements contained in paragraph (4) of this  
16 proviso, the Administrator shall submit to the Committees  
17 on Appropriations a report containing a description of such  
18 violation and the corrective action taken by the Agency:  
19 Provided further, That in awarding grants for natural fam-  
20 ily planning under section 104 of the Foreign Assistance  
21 Act of 1961 no applicant shall be discriminated against be-  
22 cause of such applicant's religious or conscientious commit-  
23 ment to offer only natural family planning; and, addition-  
24 ally, all such applicants shall comply with the requirements  
25 of the previous proviso: Provided further, That for purposes

1 *of this or any other Act authorizing or appropriating funds*  
2 *for foreign operations, export financing, and related pro-*  
3 *grams, the term “motivate”, as it relates to family planning*  
4 *assistance, shall not be construed to prohibit the provision,*  
5 *consistent with local law, of information or counseling*  
6 *about all pregnancy options: Provided further, That restric-*  
7 *tions with respect to assistance for HIV/AIDS, family plan-*  
8 *ning, or child survival and health activities shall not be*  
9 *construed to restrict assistance in support of programs to*  
10 *expand the availability and use of condoms for HIV/AIDS*  
11 *prevention and of contraceptives from funds appropriated*  
12 *by this Act: Provided further, That nothing in this para-*  
13 *graph shall be construed to alter any existing statutory pro-*  
14 *hibitions against abortion under section 104 of the Foreign*  
15 *Assistance Act of 1961: Provided further, That the funds*  
16 *under this heading that are available for the treatment and*  
17 *prevention of HIV/AIDS should also include programs and*  
18 *activities that are designed to maintain and preserve the*  
19 *families of those persons afflicted with HIV/AIDS and to*  
20 *reduce the numbers of orphans created by HIV/AIDS.*



1 *and consequences of HIV/AIDS: Provided, further, That not*  
2 *more than seven percent of the total amount appropriated*  
3 *under this heading may be made available for administra-*  
4 *tive costs of departments and agencies of the United States*  
5 *that carry out programs for which funds are appropriated*  
6 *under this heading, but funds made available for such costs*  
7 *may not to be derived from amounts made available for*  
8 *contribution and transfer under the preceding provisos.*

9 *DEVELOPMENT ASSISTANCE*

10 *For necessary expenses to carry out the provisions of*  
11 *sections 103, 105, 106, and 131, and chapter 10 of part*  
12 *I of the Foreign Assistance Act of 1961, \$1,365,500,000, to*  
13 *remain available until September 30, 2004: Provided, That*  
14 *none of the funds appropriated under title II of this Act*  
15 *that are managed by or allocated to the United States Agen-*  
16 *cy for International Development's Global Development Al-*  
17 *liance Secretariat, may be made available except through*  
18 *the regular notification procedures of the Committees on*  
19 *Appropriations: Provided further, That \$200,000,000*  
20 *should be allocated for children's basic education: Provided*  
21 *further, That none of the funds appropriated under this*  
22 *heading may be made available for any activity which is*  
23 *in contravention to the Convention on International Trade*  
24 *in Endangered Species of Flora and Fauna: Provided fur-*  
25 *ther, That of the funds appropriated under this heading*  
26 *that are made available for assistance programs for dis-*

1 placed and orphaned children and victims of war, not to  
2 exceed \$32,500, in addition to funds otherwise available for  
3 such purposes, may be used to monitor and provide over-  
4 sight of such programs: Provided further, That of the aggre-  
5 gate amount of the funds appropriated by this Act that are  
6 made available for agriculture and rural development pro-  
7 grams, \$35,000,000 should be made available for plant bio-  
8 technology research and development: Provided further,  
9 That not less than \$2,300,000 should be made available for  
10 core support for the International Fertilizer Development  
11 Center: Provided further, That of the funds appropriated  
12 under this heading, not less than \$1,000,000 shall be made  
13 available for support of the United States Telecommuni-  
14 cations Training Institute: Provided further, That of the  
15 funds appropriated under this heading, not less than  
16 \$19,000,000 should be made available for the American  
17 Schools and Hospitals Abroad program: Provided further,  
18 That of the funds appropriated by this Act, \$450,000,000  
19 should be made available for water-related assistance pro-  
20 grams, of which \$100,000,000 shall be made available for  
21 drinking water supply projects: Provided further, That  
22 funds made available under this heading should be made  
23 available for programs to provide alternative livelihoods for  
24 Vietnamese coffee growers.

1                    *INTERNATIONAL DISASTER ASSISTANCE*

2            *For necessary expenses for international disaster relief,*  
3 *rehabilitation, and reconstruction assistance pursuant to*  
4 *section 491 of the Foreign Assistance Act of 1961, as amend-*  
5 *ed, \$230,000,000, to remain available until expended.*

6            *In addition, for assistance for Afghanistan,*  
7 *\$60,000,000 to remain available until expended: Provided,*  
8 *That these funds shall be used for humanitarian and recon-*  
9 *struction assistance for the Afghan people including health*  
10 *and education programs, housing, to improve the status of*  
11 *women, infrastructure, to further political reforms, and as-*  
12 *sistance for victims of war and displaced persons.*

13                    *TRANSITION INITIATIVES*

14            *For necessary expenses for international disaster reha-*  
15 *bilitation and reconstruction assistance pursuant to section*  
16 *491 of the Foreign Assistance Act of 1961, \$55,000,000, to*  
17 *remain available until expended, to support transition to*  
18 *democracy and to long-term development of countries in cri-*  
19 *sis: Provided, That such support may include assistance to*  
20 *develop, strengthen, or preserve democratic institutions and*  
21 *processes, revitalize basic infrastructure, and foster the*  
22 *peaceful resolution of conflict: Provided further, That the*  
23 *United States Agency for International Development shall*  
24 *submit a report to the Committees on Appropriations at*  
25 *least 5 days prior to beginning a new program of assist-*  
26 *ance.*

1                    *DEVELOPMENT CREDIT AUTHORITY*2                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For the cost of direct loans and loan guarantees, as*  
4 *authorized by sections 108 and 635 of the Foreign Assist-*  
5 *ance Act of 1961, funds may be derived by transfer from*  
6 *funds appropriated by this Act to carry out part I of such*  
7 *Act and under the heading "Assistance for Eastern Europe*  
8 *and the Baltic States": Provided, That such funds when*  
9 *added to the funds transferred pursuant to the authority*  
10 *contained under this heading in Public Law 107-115, shall*  
11 *not exceed \$24,500,000, which shall be made available only*  
12 *for micro and small enterprise programs, urban programs,*  
13 *and other programs which further the purposes of part I*  
14 *of the Act: Provided further, That of the funds made avail-*  
15 *able pursuant to the previous proviso, not less than*  
16 *\$4,000,000 shall be made available for urban programs:*  
17 *Provided further, That such costs shall be as defined in sec-*  
18 *tion 502 of the Congressional Budget Act of 1974: Provided*  
19 *further, That the provisions of section 107A(d) (relating to*  
20 *general provisions applicable to the Development Credit Au-*  
21 *thority) of the Foreign Assistance Act of 1961, as contained*  
22 *in section 306 of H.R. 1486 as reported by the House Com-*  
23 *mittee on International Relations on May 9, 1997, shall*  
24 *be applicable to direct loans and loan guarantees provided*  
25 *under this heading. In addition, for administrative ex-*  
26 *penses to carry out credit programs administered by the*

1 *United States Agency for International Development,*  
2 *\$7,591,000, which may be transferred to and merged with*  
3 *the appropriation for Operating Expenses of the United*  
4 *States Agency for International Development: Provided fur-*  
5 *ther, That funds made available under this heading shall*  
6 *remain available until September 30, 2007.*

7 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*  
8 *DISABILITY FUND*

9 *For payment to the “Foreign Service Retirement and*  
10 *Disability Fund”, as authorized by the Foreign Service Act*  
11 *of 1980, \$45,200,000.*

12 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
13 *FOR INTERNATIONAL DEVELOPMENT*

14 *For necessary expenses to carry out the provisions of*  
15 *section 667, \$571,087,000: Provided, That none of the funds*  
16 *appropriated under this heading may be made available to*  
17 *finance the construction (including architect and engineer-*  
18 *ing services), purchase, or long term lease of offices for use*  
19 *by the United States Agency for International Development,*  
20 *unless the Administrator has identified such proposed con-*  
21 *struction (including architect and engineering services),*  
22 *purchase, or long term lease of offices in a report submitted*  
23 *to the Committees on Appropriations at least 15 days prior*  
24 *to the obligation of these funds for such purposes: Provided*  
25 *further, That the previous proviso shall not apply where*  
26 *the total cost of construction (including architect and engi-*



1 *neering services), purchase, or long term lease of offices does*  
2 *not exceed \$1,000,000.*

3 *CAPITAL INVESTMENT FUND*

4 *For necessary expenses for overseas construction and*  
5 *related costs, and for the procurement and enhancement of*  
6 *information technology and related capital investments,*  
7 *pursuant to section 667, \$65,000,000, to remain available*  
8 *until expended: Provided, That of the funds appropriated*  
9 *under this heading, not less than \$13,000,000 shall be avail-*  
10 *able for the procurement and enhancement of information*  
11 *technology and related capital investments: Provided fur-*  
12 *ther, That of the funds appropriated under this heading,*  
13 *up to \$10,000,000 shall be made available for costs related*  
14 *to the construction of temporary, secure facilities for United*  
15 *States Agency for International Development personnel in*  
16 *Afghanistan: Provided further, That the funds appropriated*  
17 *under this heading are in addition to funds otherwise avail-*  
18 *able for such purposes.*

19 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
20 *FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-*  
21 *SPECTOR GENERAL*

22 *For necessary expenses to carry out the provisions of*  
23 *section 667, \$33,046,000, to remain available until Sep-*  
24 *tember 30, 2004, which sum shall be available for the Office*  
25 *of the Inspector General of the United States Agency for*  
26 *International Development.*

1            *OTHER BILATERAL ECONOMIC ASSISTANCE*2                            *ECONOMIC SUPPORT FUND*

3            *For necessary expenses to carry out the provisions of*  
4 *chapter 4 of part II, \$2,260,000,000, to remain available*  
5 *until September 30, 2004: Provided, That of the funds ap-*  
6 *propriated under this heading, not less than \$600,000,000*  
7 *shall be available only for Israel, which sum shall be avail-*  
8 *able on a grant basis as a cash transfer and shall be dis-*  
9 *bursed within 30 days of the enactment of this Act: Pro-*  
10 *vided further, That not less than \$615,000,000 shall be*  
11 *available only for Egypt, which sum shall be provided on*  
12 *a grant basis, and of which sum cash transfer assistance*  
13 *shall be provided with the understanding that Egypt will*  
14 *undertake significant economic reforms which are addi-*  
15 *tional to those which were undertaken in previous fiscal*  
16 *years, and of which not less than \$200,000,000 shall be pro-*  
17 *vided as Commodity Import Program assistance: Provided*  
18 *further, That in exercising the authority to provide cash*  
19 *transfer assistance for Israel, the President shall ensure that*  
20 *the level of such assistance does not cause an adverse impact*  
21 *on the total level of nonmilitary exports from the United*  
22 *States to such country and that Israel enters into a side*  
23 *letter agreement in an amount proportional to the fiscal*  
24 *year 1999 agreement: Provided further, That of the funds*  
25 *appropriated under this heading and in addition to funds*

1 *previously allocated, not less than \$5,000,000 should be*  
2 *made available for programs and activities which bring to-*  
3 *gether Arabs and Israelis to promote understanding and*  
4 *shared solutions to common problems, including through the*  
5 *“Arava Institute for Environmental Studies”, “Seeds of*  
6 *Peace”, and “Jerusalem International YMCA”:* *Provided*  
7 *further, That of the funds appropriated under this heading,*  
8 *\$250,000,000 shall be made available for assistance for Jor-*  
9 *dan: Provided further, That of the funds appropriated*  
10 *under this heading, not less than \$75,000,000 shall be made*  
11 *available for humanitarian, refugee, reconstruction, and de-*  
12 *velopment activities, including activities to promote demo-*  
13 *cratic and economic reform, for the West Bank and Gaza:*  
14 *Provided further, That not less than \$1,000,000 of the funds*  
15 *provided in the previous proviso may be used to further*  
16 *legal reforms in the West Bank and Gaza, including judi-*  
17 *cial training on commercial disputes and ethics: Provided*  
18 *further, That not to exceed \$200,000,000 of the funds appro-*  
19 *priated under this heading in this Act may be made avail-*  
20 *able for the costs, as defined in section 502 of the Congres-*  
21 *sional Budget Act of 1974, of modifying direct loans and*  
22 *guarantees for Pakistan: Provided further, That not to ex-*  
23 *ceed \$15,000,000 of the funds appropriated under this head-*  
24 *ing in Public Law 107–206, the Supplemental Appropria-*  
25 *tions Act for Further Recovery From and Response To Ter-*

1 *rorist Attacks on the United States, FY 2002, may be made*  
2 *available for the costs, as defined in section 502 of the Con-*  
3 *gressional Budget Act of 1974, of modifying direct loans*  
4 *and guarantees for Jordan: Provided further, That*  
5 *\$15,000,000 of the funds appropriated under this heading*  
6 *shall be made available for Cyprus to be used only for schol-*  
7 *arships, administrative support of the scholarship program,*  
8 *bicommunal projects, and measures aimed at reunification*  
9 *of the island and designed to reduce tensions and promote*  
10 *peace and cooperation between the two communities on Cy-*  
11 *prus: Provided further, That \$35,000,000 of the funds ap-*  
12 *propriated under this heading shall be made available for*  
13 *assistance for Lebanon to be used, among other programs,*  
14 *for scholarships and direct support of the American edu-*  
15 *cational institutions in Lebanon: Provided further, That*  
16 *none of the funds appropriated under this heading may be*  
17 *made available for assistance for the Central Government*  
18 *of Lebanon: Provided further, That the Government of Leb-*  
19 *anon should enforce the custody and international pickup*  
20 *orders, issued during calendar year 2001, of Lebanon's civil*  
21 *courts regarding abducted American children in Lebanon:*  
22 *Provided further, That not less than \$150,000,000 of the*  
23 *funds appropriated under this Act shall be made available*  
24 *for assistance for Indonesia, of which not less than*  
25 *\$10,000,000 shall be made available for programs and ac-*

1 *tivities in Aceh, and not less than \$5,000,000 for reconstruc-*  
2 *tion and recovery efforts in Bali: Provided further, That*  
3 *none of the funds made available for Aceh in this Act may*  
4 *be used to construct roads or other infrastructure that*  
5 *threatens the habitat of orangutans or other endangered spe-*  
6 *cies: Provided further, That of the funds appropriated*  
7 *under this heading, not less than \$25,000,000 shall be made*  
8 *available for assistance for the Democratic Republic of*  
9 *Timor-Leste of which up to \$1,000,000 may be available*  
10 *for administrative expenses of the United States Agency for*  
11 *International Development: Provided further, That of the*  
12 *funds appropriated under this heading, not less than*  
13 *\$3,500,000 shall be made available for assistance for coun-*  
14 *tries to implement and enforce the Kimberly Process Certifi-*  
15 *cation Scheme: Provided further, That of the funds appro-*  
16 *priated under this heading, not less than \$250,000 shall be*  
17 *made available for programs and activities administered by*  
18 *the National Endowment for Democracy that promote*  
19 *human rights in North Korea: Provided further, That*  
20 *\$3,000,000 shall be made available for the international*  
21 *youth exchange program for secondary students from coun-*  
22 *tries with significant Muslim populations: Provided fur-*  
23 *ther, That of the funds appropriated under this heading,*  
24 *\$10,000,000 shall be made available to continue to support*  
25 *the provision of wheelchairs for needy persons in developing*

1 *countries: Provided further, That funds appropriated under*  
2 *this heading may be used, notwithstanding any other provi-*  
3 *sion of law, to provide assistance to the National Demo-*  
4 *cratic Alliance of Sudan to strengthen its ability to protect*  
5 *civilians from attacks, slave raids, and aerial bombardment*  
6 *by the Sudanese Government forces and its militia allies,*  
7 *and the provision of such funds shall be subject to the reg-*  
8 *ular notification procedures of the Committees on Appro-*  
9 *priations: Provided further, That in the previous proviso,*  
10 *the term “assistance” includes non-lethal, non-food aid such*  
11 *as blankets, medicine, fuel, mobile clinics, water drilling*  
12 *equipment, communications equipment to notify civilians*  
13 *of aerial bombardment, non-military vehicles, tents, and*  
14 *shoes: Provided further, That of the funds appropriated*  
15 *under this heading, not less than \$10,000,000 shall be made*  
16 *available during fiscal year 2003 for a contribution to the*  
17 *Special Court for Sierra Leone: Provided further, That with*  
18 *respect to funds appropriated under this heading in this*  
19 *Act or prior Acts making appropriations for foreign oper-*  
20 *ations, export financing, and related programs, the respon-*  
21 *sibility for policy decisions and justifications for the use*  
22 *of such funds, including whether there will be a program*  
23 *for a country that uses those funds and the amount of each*  
24 *such program, shall be the responsibility of the Secretary*

1 *of State and the Deputy Secretary of State and this respon-*  
2 *sibility shall not be delegated.*

3 *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*  
4 *STATES*

5 *(a) For necessary expenses to carry out the provisions*  
6 *of the Foreign Assistance Act of 1961 and the Support for*  
7 *East European Democracy (SEED) Act of 1989,*  
8 *\$530,000,000, to remain available until September 30,*  
9 *2004, which shall be available, notwithstanding any other*  
10 *provision of law, for assistance and for related programs*  
11 *for Eastern Europe and the Baltic States: Provided, That*  
12 *funds made available for assistance for Kosovo from funds*  
13 *appropriated under this heading and under the headings*  
14 *“Economic Support Fund” and “International Narcotics*  
15 *Control and Law Enforcement” should not exceed 15 per-*  
16 *cent of the total resources pledged by all donors for calendar*  
17 *year 2003 for assistance for Kosovo as of March 31, 2003:*  
18 *Provided further, That none of the funds made available*  
19 *under this Act for assistance for Kosovo shall be made avail-*  
20 *able for large scale physical infrastructure reconstruction:*  
21 *Provided further, That of the funds made available under*  
22 *this heading for assistance for Kosovo, \$2,000,000 shall be*  
23 *made available for assistance to support training programs*  
24 *for Kosovar women: Provided further, That of the funds*  
25 *made available under this heading for assistance for Bul-*  
26 *garia, \$5,000,000 shall be made available for full scope sim-*

1 *ulators to enhance safety at nuclear power plants: Provided*  
2 *further, That of the funds made available under this head-*  
3 *ing, \$750,000 shall be made available for regional programs*  
4 *and activities to promote reconciliation among ethnic*  
5 *groups within the former Yugoslavia.*

6 *(b) Funds appropriated under this heading or in prior*  
7 *appropriations Acts that are or have been made available*  
8 *for an Enterprise Fund may be deposited by such Fund*  
9 *in interest-bearing accounts prior to the Fund's disburse-*  
10 *ment of such funds for program purposes. The Fund may*  
11 *retain for such program purposes any interest earned on*  
12 *such deposits without returning such interest to the Treas-*  
13 *ury of the United States and without further appropriation*  
14 *by the Congress. Funds made available for Enterprise*  
15 *Funds shall be expended at the minimum rate necessary*  
16 *to make timely payment for projects and activities.*

17 *(c) Funds appropriated under this heading shall be*  
18 *considered to be economic assistance under the Foreign As-*  
19 *sistance Act of 1961 for purposes of making available the*  
20 *administrative authorities contained in that Act for the use*  
21 *of economic assistance.*

22 *(d) With regard to funds appropriated under this*  
23 *heading for the economic revitalization program in Bosnia*  
24 *and Herzegovina, and local currencies generated by such*  
25 *funds (including the conversion of funds appropriated*



1 *under this heading into currency used by Bosnia and*  
2 *Herzegovina as local currency and local currency returned*  
3 *or repaid under such program) the Administrator of the*  
4 *United States Agency for International Development shall*  
5 *provide written approval for grants and loans prior to the*  
6 *obligation and expenditure of funds for such purposes, and*  
7 *prior to the use of funds that have been returned or repaid*  
8 *to any lending facility or grantee.*

9       *(e) The provisions of section 528 of this Act shall apply*  
10 *to funds made available under subsection (d) and to funds*  
11 *appropriated under this heading: Provided, That notwith-*  
12 *standing any provision of this or any other Act, including*  
13 *provisions in this subsection regarding the application of*  
14 *section 528 of this Act, local currencies generated by, or con-*  
15 *verted from, funds appropriated by this Act and by previous*  
16 *appropriations Acts and made available for the economic*  
17 *revitalization program in Bosnia may be used in Eastern*  
18 *Europe and the Baltic States to carry out the provisions*  
19 *of the Foreign Assistance Act of 1961 and the Support for*  
20 *East European Democracy (SEED) Act of 1989.*

21       *(f) The President is authorized to withhold funds ap-*  
22 *propriated under this heading made available for economic*  
23 *revitalization programs in Bosnia and Herzegovina, if he*  
24 *determines and certifies to the Committees on Appropria-*  
25 *tions that the Federation of Bosnia and Herzegovina has*

1 *not complied with article III of annex 1–A of the General*  
2 *Framework Agreement for Peace in Bosnia and*  
3 *Herzegovina concerning the withdrawal of foreign forces,*  
4 *and that intelligence cooperation on training, investiga-*  
5 *tions, and related activities between state sponsors of ter-*  
6 *rorism and terrorist organizations and Bosnian officials*  
7 *has not been terminated.*

8       *ASSISTANCE FOR THE INDEPENDENT STATES OF THE*  
9                               *FORMER SOVIET UNION*

10       *(a) For necessary expenses to carry out the provisions*  
11 *of chapters 11 and 12 of part I of the Foreign Assistance*  
12 *Act of 1961 and the FREEDOM Support Act, for assistance*  
13 *for the Independent States of the former Soviet Union and*  
14 *for related programs, \$765,000,000, to remain available*  
15 *until September 30, 2004: Provided, That the provisions of*  
16 *such chapters shall apply to funds appropriated by this*  
17 *paragraph: Provided further, That of the funds made avail-*  
18 *able for the Southern Caucasus region, notwithstanding any*  
19 *other provision of law, funds may be used for confidence-*  
20 *building measures and other activities in furtherance of the*  
21 *peaceful resolution of the regional conflicts, especially those*  
22 *in the vicinity of Abkhazia and Nagorno-Karabagh: Pro-*  
23 *vided further, That of the funds appropriated under this*  
24 *heading \$17,500,000 shall be made available solely for as-*  
25 *sistance for the Russian Far East: Provided further, That,*  
26 *notwithstanding any other provision of law, funds appro-*

1 *priated under this heading in this Act or prior Acts making*  
2 *appropriations for foreign operations, export financing,*  
3 *and related programs, that are made available pursuant*  
4 *to the provisions of section 807 of the FREEDOM Support*  
5 *Act (Public Law 102–511) shall be subject to the ceiling*  
6 *on administrative expenses contained in section 807(a)(5)*  
7 *of the FREEDOM Support Act.*

8       *(b) Of the funds appropriated under this heading that*  
9 *are made available for assistance for Ukraine, not less than*  
10 *\$30,000,000 shall be made available for nuclear reactor*  
11 *safety initiatives and not less than \$3,000,000 shall be*  
12 *made available for coal mine safety programs, including*  
13 *mine ventilation and fire prevention and control.*

14       *(c) Of the funds appropriated under this heading, not*  
15 *less than \$90,000,000 shall be made available for assistance*  
16 *for Armenia.*

17       *(d) Of the funds appropriated under this heading,*  
18 *\$87,000,000 should be made available for assistance for*  
19 *Georgia.*

20       *(e)(1) Of the funds appropriated under this heading*  
21 *that are allocated for assistance for the Government of the*  
22 *Russian Federation, 60 percent shall be withheld from obli-*  
23 *gation until the President determines and certifies in writ-*  
24 *ing to the Committees on Appropriations that the Govern-*  
25 *ment of the Russian Federation:*

1           (A) *has terminated implementation of arrange-*  
2           *ments to provide Iran with technical expertise, train-*  
3           *ing, technology, or equipment necessary to develop a*  
4           *nuclear reactor, related nuclear research facilities or*  
5           *programs, or ballistic missile capability; and*

6           (B) *is providing unimpeded access to inter-*  
7           *national non-government organizations providing hu-*  
8           *manitarian relief to refugees and internally displaced*  
9           *persons in Chechnya.*

10          (2) *Paragraph (1) shall not apply to—*

11           (A) *assistance to combat infectious diseases, child*  
12           *survival activities, or assistance for victims of traf-*  
13           *ficking in persons; and*

14           (B) *activities authorized under title V (Non-*  
15           *proliferation and Disarmament Programs and Activi-*  
16           *ties) of the FREEDOM Support Act.*

17          (f) *Section 907 of the FREEDOM Support Act shall*  
18          *not apply to—*

19           (1) *activities to support democracy or assistance*  
20           *under title V of the FREEDOM Support Act and sec-*  
21           *tion 1424 of Public Law 104–201 or non-proliferation*  
22           *assistance;*

23           (2) *any assistance provided by the Trade and*  
24           *Development Agency under section 661 of the Foreign*  
25           *Assistance Act of 1961 (22 U.S.C. 2421);*

1           (3) *any activity carried out by a member of the*  
2           *United States and Foreign Commercial Service while*  
3           *acting within his or her official capacity;*

4           (4) *any insurance, reinsurance, guarantee or*  
5           *other assistance provided by the Overseas Private In-*  
6           *vestment Corporation under title IV of chapter 2 of*  
7           *part I of the Foreign Assistance Act of 1961 (22*  
8           *U.S.C. 2191 et seq.);*

9           (5) *any financing provided under the Export-*  
10          *Import Bank Act of 1945; or*

11          (6) *humanitarian assistance.*

12                                    *INDEPENDENT AGENCIES*

13                                    *INTER-AMERICAN FOUNDATION*

14          *For necessary expenses to carry out the functions of*  
15          *the Inter-American Foundation in accordance with the pro-*  
16          *visions of section 401 of the Foreign Assistance Act of 1969,*  
17          *\$16,385,000, to remain available until September 30, 2004.*

18                                    *AFRICAN DEVELOPMENT FOUNDATION*

19          *For necessary expenses to carry out title V of the Inter-*  
20          *national Security and Development Cooperation Act of*  
21          *1980, Public Law 96–533, \$17,689,000, to remain available*  
22          *until September 30, 2004: Provided, That funds made*  
23          *available to grantees may be invested pending expenditure*  
24          *for project purposes when authorized by the board of direc-*  
25          *tors of the Foundation: Provided further, That interest*  
26          *earned shall be used only for the purposes for which the*

1 *grant was made: Provided further, That this authority ap-*  
2 *plies to interest earned both prior to and following enact-*  
3 *ment of this provision: Provided further, That notwith-*  
4 *standing section 505(a)(2) of the African Development*  
5 *Foundation Act, in exceptional circumstances the board of*  
6 *directors of the Foundation may waive the \$250,000 limita-*  
7 *tion contained in that section with respect to a project: Pro-*  
8 *vided further, That the Foundation shall provide a report*  
9 *to the Committees on Appropriations after each time such*  
10 *waiver authority is exercised.*

11 *PEACE CORPS*

12 *For necessary expenses to carry out the provisions of*  
13 *the Peace Corps Act (75 Stat. 612), \$285,000,000, including*  
14 *the purchase of not to exceed five passenger motor vehicles*  
15 *for administrative purposes for use outside of the United*  
16 *States: Provided, That none of the funds appropriated*  
17 *under this heading shall be used to pay for abortions: Pro-*  
18 *vided further, That funds appropriated under this heading*  
19 *shall remain available until September 30, 2004.*

20 *DEPARTMENT OF STATE*

21 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

22 *ENFORCEMENT*

23 *For necessary expenses to carry out section 481 of the*  
24 *Foreign Assistance Act of 1961, \$196,713,000, to remain*  
25 *available until expended: Provided, That any funds made*  
26 *available under this heading for anti-crime programs and*

1 *activities shall be made available subject to the regular noti-*  
2 *fication procedures of the Committees on Appropriations:*  
3 *Provided further, That during fiscal year 2003, the Depart-*  
4 *ment of State may also use the authority of section 608*  
5 *of the Foreign Assistance Act of 1961, without regard to*  
6 *its restrictions, to receive excess property from an agency*  
7 *of the United States Government for the purpose of pro-*  
8 *viding it to a foreign country under chapter 8 of part I*  
9 *of that Act subject to the regular notification procedures of*  
10 *the Committees on Appropriations: Provided further, That*  
11 *of the funds appropriated under this heading, \$20,000,000*  
12 *should be made available for anti-trafficking in persons*  
13 *programs, including trafficking prevention, protection and*  
14 *assistance for victims, and prosecution of traffickers: Pro-*  
15 *vided further, That of the funds appropriated under this*  
16 *heading, not more than \$24,300,000 may be available for*  
17 *administrative expenses.*

18 *ANDEAN COUNTERDRUG INITIATIVE*

19 *For necessary expenses to carry out section 481 of the*  
20 *Foreign Assistance Act of 1961 solely to support*  
21 *counterdrug activities in the Andean region of South Amer-*  
22 *ica, \$650,000,000, to remain available until expended: Pro-*  
23 *vided, That in addition to the funds appropriated under*  
24 *this heading and subject to the regular notification proce-*  
25 *dures of the Committees on Appropriations, the President*  
26 *may make available up to an additional \$35,000,000 for*

1 *the Andean Counterdrug Initiative, which may be derived*  
2 *from funds appropriated under the heading “International*  
3 *Narcotics Control and Law Enforcement” in this Act and*  
4 *in prior Acts making appropriations for foreign operations,*  
5 *export financing, and related programs: Provided further,*  
6 *That of the amount appropriated under this heading, not*  
7 *less than \$225,000,000 shall be apportioned directly to the*  
8 *United States Agency for International Development, to be*  
9 *used for economic and social programs: Provided further,*  
10 *That of the funds appropriated under this heading and*  
11 *under the heading “Foreign Military Financing Program”,*  
12 *not less than \$5,000,000 shall be made available to train*  
13 *and equip a Colombian Armed Forces unit dedicated to ap-*  
14 *prehending the leaders of paramilitary organizations: Pro-*  
15 *vided further, That of the funds made available for assist-*  
16 *ance for Colombia under this heading, up to \$3,000,000*  
17 *shall be made available for commercially developed, web*  
18 *monitoring software, and training on the usage thereof, for*  
19 *the Colombian National Police: Provided further, That of*  
20 *the funds made available for assistance for Colombia under*  
21 *this heading, not less than \$2,000,000 shall be made avail-*  
22 *able for vehicles, equipment, and other assistance for the*  
23 *human rights unit of the Procurador General: Provided fur-*  
24 *ther, That funds appropriated by this Act that are used for*  
25 *the procurement of chemicals, equipment or services for aer-*



1 *ial coca and poppy fumigation programs may be made*  
2 *available for such programs only if the Secretary of State*  
3 *and the Administrator of the Environmental Protection*  
4 *Agency (EPA) certify to the Committees on Appropriations*  
5 *that (1) an environmental impact statement (EIS) has been*  
6 *completed in a manner consistent with that required for*  
7 *comparable use of the herbicide mixture in the United*  
8 *States; (2) the herbicide mixture is being used in accordance*  
9 *with the EIS, EPA label requirements for comparable use*  
10 *in the United States and any additional controls rec-*  
11 *ommended by the EPA for this program, and with Colom-*  
12 *bian laws including the Environmental Management Plan*  
13 *for aerial fumigation; (3) the herbicide mixture, in the*  
14 *manner it is being used, does not pose unreasonable risks*  
15 *or adverse effects to humans or the environment; and (4)*  
16 *there is effective monitoring of compliance with the require-*  
17 *ments of this proviso; and the Secretary of State certifies*  
18 *that effective procedures are being utilized to evaluate*  
19 *claims of local citizens that their health was harmed or their*  
20 *licit agricultural crops were damaged by such aerial coca*  
21 *and poppy fumigation, and to provide fair compensation*  
22 *for meritorious claims; and such funds may not be made*  
23 *available for such purposes unless programs are being im-*  
24 *plemented by the United States Agency for International*  
25 *Development and the Government of Colombia, in consulta-*

1 *tion with local communities, to provide alternative sources*  
2 *of income in areas where security permits for small-acreage*  
3 *growers whose illicit crops are targeted for fumigation: Pro-*  
4 *vided further, That section 482(b) of the Foreign Assistance*  
5 *Act of 1961 shall not apply to funds appropriated under*  
6 *this heading: Provided further, That assistance provided*  
7 *with funds appropriated under this heading that is made*  
8 *available notwithstanding section 482(b) of the Foreign As-*  
9 *sistance Act of 1961, as amended, shall be made available*  
10 *subject to the regular notification procedures of the Commit-*  
11 *tees on Appropriations: Provided further, That the provi-*  
12 *sions of section 3204(b) through (h) of Public Law 106-*  
13 *246, as amended by Public Law 107-115, shall be applica-*  
14 *ble to funds appropriated for fiscal year 2003: Provided fur-*  
15 *ther, That no United States Armed Forces personnel or*  
16 *United States civilian contractor employed by the United*  
17 *States will participate in any combat operation in connec-*  
18 *tion with assistance made available by this Act for Colom-*  
19 *bia: Provided further, That the President shall ensure that*  
20 *if any helicopter procured with funds under this heading*  
21 *is used to aid or abet the operations of any illegal self-de-*  
22 *fense group or illegal security cooperative, such helicopter*  
23 *shall be immediately returned to the United States: Pro-*  
24 *vided further, That of the funds appropriated under this*  
25 *heading, not less than \$3,500,000 shall be made available*

1 *for assistance for the Colombian National Park Service for*  
2 *training, equipment, and other assistance to protect Colom-*  
3 *bia's national parks and reserves: Provided further, That*  
4 *funds made available under this heading shall be subject*  
5 *to the regular notification procedures of the Committees on*  
6 *Appropriations: Provided further, That of the funds appro-*  
7 *priated under this heading, not more than \$14,800,000 may*  
8 *be available for administrative expenses of the Department*  
9 *of State, and not more than \$4,500,000 may be available,*  
10 *in addition to amounts otherwise available for such pur-*  
11 *poses, for administrative expenses of the United States*  
12 *Agency for International Development.*

13 *MIGRATION AND REFUGEE ASSISTANCE*

14 *For expenses, not otherwise provided for, necessary to*  
15 *enable the Secretary of State to provide, as authorized by*  
16 *law, a contribution to the International Committee of the*  
17 *Red Cross, assistance to refugees, including contributions*  
18 *to the International Organization for Migration and the*  
19 *United Nations High Commissioner for Refugees, and other*  
20 *activities to meet refugee and migration needs; salaries and*  
21 *expenses of personnel and dependents as authorized by the*  
22 *Foreign Service Act of 1980; allowances as authorized by*  
23 *sections 5921 through 5925 of title 5, United States Code;*  
24 *purchase and hire of passenger motor vehicles; and services*  
25 *as authorized by section 3109 of title 5, United States Code,*  
26 *\$787,000,000, which shall remain available until expended:*

1 *Provided, That not more than \$16,565,000 may be available*  
2 *for administrative expenses: Provided further, That not less*  
3 *than \$60,000,000 of the funds made available under this*  
4 *heading shall be made available for refugees from the former*  
5 *Soviet Union and Eastern Europe and other refugees reset-*  
6 *tling in Israel: Provided further, That funds made available*  
7 *under this heading should be made available to international*  
8 *organizations for assistance for refugees from North Korea:*  
9 *Provided further, That funds appropriated under this head-*  
10 *ing may be made available for a headquarters contribution*  
11 *to the International Committee of the Red Cross only if the*  
12 *Secretary of State determines (and so reports to the appro-*  
13 *priate committees of Congress) that the Magen David Adom*  
14 *Society of Israel is not being denied participation in the*  
15 *activities of the International Red Cross and Red Crescent*  
16 *Movement.*

17 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*  
18 *ASSISTANCE FUND*

19 *For necessary expenses to carry out the provisions of*  
20 *section 2(c) of the Migration and Refugee Assistance Act*  
21 *of 1962, as amended (22 U.S.C. 260(c)), \$32,000,000, to*  
22 *remain available until expended: Provided, That the funds*  
23 *made available under this heading are appropriated not-*  
24 *withstanding the provisions contained in section 2(c)(2) of*  
25 *the Act which would limit the amount of funds which could*  
26 *be appropriated for this purpose.*



1 *such funds may also be used for such countries other than*  
2 *the Independent States of the former Soviet Union and*  
3 *international organizations when it is in the national secu-*  
4 *rity interest of the United States to do so following con-*  
5 *sultation with the appropriate committees of Congress: Pro-*  
6 *vided further, That funds appropriated under this heading*  
7 *may be made available for the International Atomic Energy*  
8 *Agency only if the Secretary of State determines (and so*  
9 *reports to the Congress) that Israel is not being denied its*  
10 *right to participate in the activities of that Agency: Pro-*  
11 *vided further, That of the funds appropriated under this*  
12 *heading, \$57,000,000 should be made available for*  
13 *demining and related activities, of which not to exceed*  
14 *\$675,000, in addition to funds otherwise available for such*  
15 *purposes, may be used for administrative expenses related*  
16 *to the operation and management of the demining program:*  
17 *Provided further, That the Secretary of State is authorized*  
18 *to support public-private partnerships for mine action by*  
19 *grant, cooperative agreement, or otherwise: Provided fur-*  
20 *ther, That of the funds appropriated under this heading,*  
21 *\$54,400,000 should be made available for a voluntary con-*  
22 *tribution to the International Atomic Energy Agency: Pro-*  
23 *vided further, That of the funds appropriated under this*  
24 *heading, \$4,000,000 should be made available to support*  
25 *the Small Arms Destruction Initiative.*

1                    *DEPARTMENT OF THE TREASURY*2                    *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

3                    *For necessary expenses to carry out the provisions of*  
4 *section 129 of the Foreign Assistance Act of 1961 (relating*  
5 *to international affairs technical assistance activities),*  
6 *\$10,500,000, to remain available until expended, which*  
7 *shall be available notwithstanding any other provision of*  
8 *law.*

9                    *TITLE III—MILITARY ASSISTANCE*10                   *FUNDS APPROPRIATED TO THE PRESIDENT*11                   *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

12                   *For necessary expenses to carry out the provisions of*  
13 *section 541 of the Foreign Assistance Act of 1961,*  
14 *\$80,000,000, of which up to \$3,000,000 may remain avail-*  
15 *able until expended: Provided, That the civilian personnel*  
16 *for whom military education and training may be provided*  
17 *under this heading may include civilians who are not mem-*  
18 *bers of a government whose participation would contribute*  
19 *to improved civil-military relations, civilian control of the*  
20 *military, or respect for human rights: Provided further,*  
21 *That none of the funds appropriated under this heading*  
22 *may be made available for travel or other purposes that*  
23 *do not directly expose the individual participants to govern-*  
24 *ment officials or institutions or to other individuals or or-*  
25 *ganizations engaged in activities involving public policy:*

1 *Provided further, That funds appropriated under this head-*  
2 *ing for military education and training for Guatemala*  
3 *may only be available for expanded international military*  
4 *education and training and funds made available for Alge-*  
5 *ria and Guatemala may only be provided through the reg-*  
6 *ular notification procedures of the Committees on Appro-*  
7 *priations: Provided further, That the Secretary of Defense,*  
8 *in consultation with the Secretary of State, shall keep a*  
9 *record of each foreign military and civilian participant in*  
10 *activities provided under this heading, consistent with cur-*  
11 *rent Security Assistance Management Manual practices,*  
12 *updated annually for at least six years after the individual*  
13 *completes participation in such activities, and such records*  
14 *shall be included in the database required by section 548*  
15 *of the Foreign Assistance Act of 1961.*

16 *FOREIGN MILITARY FINANCING PROGRAM*

17 *For expenses necessary for grants to enable the Presi-*  
18 *dent to carry out the provisions of section 23 of the Arms*  
19 *Export Control Act, \$4,072,000,000: Provided, That of the*  
20 *funds appropriated under this heading, not less than*  
21 *\$2,100,000,000 shall be available for grants only for Israel,*  
22 *and not less than \$1,300,000,000 shall be made available*  
23 *for grants only for Egypt: Provided further, That the funds*  
24 *appropriated by this paragraph for Israel shall be disbursed*  
25 *within 30 days of the enactment of this Act: Provided fur-*  
26 *ther, That to the extent that the Government of Israel re-*



1 *quests that funds be used for such purposes, grants made*  
2 *available for Israel by this paragraph shall, as agreed by*  
3 *Israel and the United States, be available for advanced*  
4 *weapons systems, of which not less than \$550,000,000 shall*  
5 *be available for the procurement in Israel of defense articles*  
6 *and defense services, including research and development:*  
7 *Provided further, That of the funds appropriated by this*  
8 *paragraph, \$198,000,000 shall be made available for assist-*  
9 *ance for Jordan: Provided further, That of the funds appro-*  
10 *priated by this paragraph, not less than \$3,000,000 shall*  
11 *be made available for assistance for Armenia: Provided fur-*  
12 *ther, That except as provided in the following proviso, none*  
13 *of the funds appropriated by this paragraph shall be made*  
14 *available for helicopters and related support costs for Co-*  
15 *lombia: Provided further, That up to \$88,000,000 of the*  
16 *funds appropriated by this paragraph may be transferred*  
17 *to and merged with funds appropriated under the heading*  
18 *“Andean Counterdrug Initiative” for helicopters, training*  
19 *and other assistance for the Colombian Armed Forces for*  
20 *security for the Cano Limon pipeline: Provided further,*  
21 *That funds appropriated by this paragraph shall be non-*  
22 *repayable notwithstanding any requirement in section 23*  
23 *of the Arms Export Control Act: Provided further, That*  
24 *funds made available under this paragraph shall be obli-*

1 *gated upon apportionment in accordance with paragraph*  
2 *(5)(C) of title 31, United States Code, section 1501(a).*

3 *None of the funds made available under this heading*  
4 *shall be available to finance the procurement of defense arti-*  
5 *cles, defense services, or design and construction services*  
6 *that are not sold by the United States Government under*  
7 *the Arms Export Control Act unless the foreign country pro-*  
8 *posing to make such procurements has first signed an agree-*  
9 *ment with the United States Government specifying the*  
10 *conditions under which such procurements may be financed*  
11 *with such funds: Provided, That all country and funding*  
12 *level increases in allocations shall be submitted through the*  
13 *regular notification procedures of section 515 of this Act:*  
14 *Provided further, That none of the funds appropriated*  
15 *under this heading shall be available for assistance for*  
16 *Sudan and Liberia: Provided further, That funds made*  
17 *available under this heading may be used, notwithstanding*  
18 *any other provision of law, for demining, the clearance of*  
19 *unexploded ordnance, and related activities, and may in-*  
20 *clude activities implemented through nongovernmental and*  
21 *international organizations: Provided further, That none of*  
22 *the funds appropriated under this heading shall be avail-*  
23 *able for assistance for Guatemala: Provided further, That*  
24 *only those countries for which assistance was justified for*  
25 *the “Foreign Military Sales Financing Program” in the fis-*

1 cal year 1989 congressional presentation for security assist-  
2 ance programs may utilize funds made available under this  
3 heading for procurement of defense articles, defense services  
4 or design and construction services that are not sold by the  
5 United States Government under the Arms Export Control  
6 Act: Provided further, That funds appropriated under this  
7 heading shall be expended at the minimum rate necessary  
8 to make timely payment for defense articles and services:  
9 Provided further, That not more than \$38,000,000 of the  
10 funds appropriated under this heading may be obligated  
11 for necessary expenses, including the purchase of passenger  
12 motor vehicles for replacement only for use outside of the  
13 United States, for the general costs of administering mili-  
14 tary assistance and sales: Provided further, That not more  
15 than \$356,000,000 of funds realized pursuant to section  
16 21(e)(1)(A) of the Arms Export Control Act may be obli-  
17 gated for expenses incurred by the Department of Defense  
18 during fiscal year 2003 pursuant to section 43(b) of the  
19 Arms Export Control Act, except that this limitation may  
20 be exceeded only through the regular notification procedures  
21 of the Committees on Appropriations: Provided further,  
22 That foreign military financing program funds estimated  
23 to be outlayed for Egypt during fiscal year 2003 shall be  
24 transferred to an interest bearing account for Egypt in the

1 *Federal Reserve Bank of New York within 30 days of enact-*  
 2 *ment of this Act .*

3 *PEACEKEEPING OPERATIONS*

4 *For necessary expenses to carry out the provisions of*  
 5 *section 551 of the Foreign Assistance Act of 1961,*  
 6 *\$120,250,000: Provided, That of the funds appropriated*  
 7 *under this heading, not less than \$7,000,000 should be made*  
 8 *available for assistance for Afghanistan: Provided further,*  
 9 *That of the funds appropriated under this heading, not less*  
 10 *than \$50,000,000 should be available for assistance for Afri-*  
 11 *ca Regional Peacekeeping Operations and the Africa Crisis*  
 12 *Response Initiative: Provided further, That none of the*  
 13 *funds appropriated under this heading shall be obligated*  
 14 *or expended except as provided through the regular notifica-*  
 15 *tion procedures of the Committees on Appropriations.*

16 *TITLE IV—MULTILATERAL ECONOMIC*  
 17 *ASSISTANCE*

18 *FUNDS APPROPRIATED TO THE PRESIDENT*

19 *INTERNATIONAL FINANCIAL INSTITUTIONS*

20 *GLOBAL ENVIRONMENT FACILITY*

21 *For the United States contribution for the Global En-*  
 22 *vironment Facility, \$177,812,533, to the International*  
 23 *Bank for Reconstruction and Development as trustee for the*  
 24 *Global Environment Facility, by the Secretary of the Treas-*  
 25 *ury, to remain available until expended.*

1     *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*  
2                                     *ASSOCIATION*

3             *For payment to the International Development Asso-*  
4 *ciation by the Secretary of the Treasury, \$837,338,333, to*  
5 *remain available until expended: Provided, That in negoti-*  
6 *ating United States participation in the next replenishment*  
7 *of the International Development Association, the Secretary*  
8 *of the Treasury shall accord high priority to providing the*  
9 *International Development Association with the policy*  
10 *flexibility to provide new grant assistance to countries eligi-*  
11 *ble for debt reduction under the enhanced HIPC Initiative.*

12     *CONTRIBUTION TO THE MULTILATERAL INVESTMENT*  
13                                     *GUARANTEE AGENCY*

14             *For payment to the Multilateral Investment Guarantee*  
15 *Agency by the Secretary of the Treasury, \$1,631,000, for*  
16 *the United States paid-in share of the increase in capital*  
17 *stock, to remain available until expended.*

18     *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

19             *The United States Governor of the Multilateral Invest-*  
20 *ment Guarantee Agency may subscribe without fiscal year*  
21 *limitation for the callable capital portion of the United*  
22 *States share of such capital stock in an amount not to ex-*  
23 *ceed \$14,825,178.*



1 *the callable capital portion of the United States share of*  
2 *such capital stock in an amount not to exceed \$79,602,688.*

3 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

4 *For the United States contribution by the Secretary*  
5 *of the Treasury to the increase in resources of the African*  
6 *Development Fund, \$108,073,333, to remain available until*  
7 *expended.*

8 *CONTRIBUTION TO THE EUROPEAN BANK FOR*

9 *RECONSTRUCTION AND DEVELOPMENT*

10 *For payment to the European Bank for Reconstruction*  
11 *and Development by the Secretary of the Treasury,*  
12 *\$35,804,955 for the United States share of the paid-in por-*  
13 *tion of the increase in capital stock, to remain available*  
14 *until expended.*

15 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

16 *The United States Governor of the European Bank for*  
17 *Reconstruction and Development may subscribe without fis-*  
18 *cal year limitation to the callable capital portion of the*  
19 *United States share of such capital stock in an amount not*  
20 *to exceed \$123,328,178.*

21 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*

22 *AGRICULTURAL DEVELOPMENT*

23 *For the United States contribution by the Secretary*  
24 *of the Treasury to increase the resources of the International*  
25 *Fund for Agricultural Development, \$15,003,667, to remain*  
26 *available until expended.*

1            *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

2            *For necessary expenses to carry out the provisions of*  
3 *section 301 of the Foreign Assistance Act of 1961, and of*  
4 *section 2 of the United Nations Environment Program Par-*  
5 *ticipation Act of 1973, \$215,000,000: Provided, That none*  
6 *of the funds appropriated under this heading may be made*  
7 *available to the Korean Peninsula Energy Development Or-*  
8 *ganization or the International Atomic Energy Agency:*  
9 *Provided further, That of the funds appropriated under this*  
10 *heading, not less than \$35,000,000 shall be made available*  
11 *for the United Nations Population Fund: Provided further,*  
12 *That funds appropriated under this heading in this Act and*  
13 *in Public Law 107–115 that were available for the United*  
14 *Nations Population Fund (UNFPA) shall be made avail-*  
15 *able for UNFPA if the President determines that UNFPA*  
16 *no longer supports or participates in the management of*  
17 *a program of coercive abortion or involuntary sterilization:*  
18 *Provided further, That none of the funds made available*  
19 *for the UNFPA may be used in the People’s Republic of*  
20 *China: Provided further, That the conditions on avail-*  
21 *ability of funds for the UNFPA as contained in section*  
22 *576(c) of Public Law 107–115 shall apply to any assistance*  
23 *provided for the UNFPA in this Act: Provided further, That*  
24 *of the funds appropriated under this heading, \$12,025,000*  
25 *shall be made available for the United Nations Environ-*



1 *ment Program: Provided further, That of the funds appro-*  
 2 *priated under this heading, a total of \$12,825,000 should*  
 3 *be made available for International Conservation Programs*  
 4 *and the International Panel on Climate Change/United Na-*  
 5 *tions Framework Convention on Climate Change: Provided*  
 6 *further, That of the funds appropriated under this heading,*  
 7 *not less than the following amounts should be made avail-*  
 8 *able for the following programs: \$6,500,000 for Organiza-*  
 9 *tion of American States Democracy Assistance Programs,*  
 10 *\$3,500,000 for the Organization of American States Fund*  
 11 *for Strengthening Democracy, \$6,000,000 for the World*  
 12 *Food Program, \$2,000,000 for International Contributions*  
 13 *for Scientific, Educational, and Cultural Activities, and*  
 14 *\$1,000,000 for the United Nations Center for Human Set-*  
 15 *tlements: Provided further, That of the funds appropriated*  
 16 *under this heading not less than \$500,000 should be made*  
 17 *available for a United States contribution to the Inter-*  
 18 *national Coffee Organization (ICO) if the United States be-*  
 19 *comes a member of the ICO prior to June 1, 2003.*

20 **TITLE V—GENERAL PROVISIONS**

21 **OBLIGATIONS DURING LAST MONTH OF AVAILABILITY**

22 **SEC. 501.** *Except for the appropriations entitled*  
 23 *“International Disaster Assistance”, and “United States*  
 24 *Emergency Refugee and Migration Assistance Fund”, not*  
 25 *more than 15 percent of any appropriation item made*

1 *available by this Act shall be obligated during the last*  
2 *month of availability.*

3 *PRIVATE AND VOLUNTARY ORGANIZATIONS*

4 *SEC. 502. (a) None of the funds appropriated or other-*  
5 *wise made available by this Act for development assistance*  
6 *may be made available to any United States private and*  
7 *voluntary organization, except any cooperative development*  
8 *organization, which obtains less than 20 percent of its total*  
9 *annual funding for international activities from sources*  
10 *other than the United States Government: Provided, That*  
11 *the Administrator of the United States Agency for Inter-*  
12 *national Development, after informing the Committees on*  
13 *Appropriations, may, on a case-by-case basis, waive the re-*  
14 *striction contained in this subsection, after taking into ac-*  
15 *count the effectiveness of the overseas development activities*  
16 *of the organization, its level of volunteer support, its finan-*  
17 *cial viability and stability, and the degree of its dependence*  
18 *for its financial support on the agency.*

19 *(b) Funds appropriated or otherwise made available*  
20 *under title II of this Act should be made available to private*  
21 *and voluntary organizations at a level which is at least*  
22 *equivalent to the level provided in fiscal year 1995.*

23 *LIMITATION ON RESIDENCE EXPENSES*

24 *SEC. 503. Of the funds appropriated or made available*  
25 *pursuant to this Act, not to exceed \$100,500 shall be for*  
26 *official residence expenses of the United States Agency for*

1 *International Development during the current fiscal year:*  
2 *Provided, That appropriate steps shall be taken to assure*  
3 *that, to the maximum extent possible, United States-owned*  
4 *foreign currencies are utilized in lieu of dollars.*

5 *LIMITATION ON EXPENSES*

6 *SEC. 504. Of the funds appropriated or made available*  
7 *pursuant to this Act, not to exceed \$5,000 shall be for enter-*  
8 *tainment expenses of the United States Agency for Inter-*  
9 *national Development during the current fiscal year.*

10 *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

11 *SEC. 505. Of the funds appropriated or made available*  
12 *pursuant to this Act, not to exceed \$125,000 shall be avail-*  
13 *able for representation allowances for the United States*  
14 *Agency for International Development during the current*  
15 *fiscal year: Provided, That appropriate steps shall be taken*  
16 *to assure that, to the maximum extent possible, United*  
17 *States-owned foreign currencies are utilized in lieu of dol-*  
18 *lars: Provided further, That of the funds made available by*  
19 *this Act for general costs of administering military assist-*  
20 *ance and sales under the heading "Foreign Military Fi-*  
21 *nancing Program", not to exceed \$2,000 shall be available*  
22 *for entertainment expenses and not to exceed \$125,000 shall*  
23 *be available for representation allowances: Provided further,*  
24 *That of the funds made available by this Act under the*  
25 *heading "International Military Education and Training",*  
26 *not to exceed \$50,000 shall be available for entertainment*

1 *allowances: Provided further, That of the funds made avail-*  
2 *able by this Act for the Inter-American Foundation, not to*  
3 *exceed \$2,000 shall be available for entertainment and rep-*  
4 *resentation allowances: Provided further, That of the funds*  
5 *made available by this Act for the Peace Corps, not to exceed*  
6 *a total of \$4,000 shall be available for entertainment ex-*  
7 *penses: Provided further, That of the funds made available*  
8 *by this Act under the heading "Trade and Development*  
9 *Agency", not to exceed \$2,000 shall be available for rep-*  
10 *resentation and entertainment allowances.*

11 *PROHIBITION ON FINANCING NUCLEAR GOODS*

12 *SEC. 506. None of the funds appropriated or made*  
13 *available (other than funds for "Nonproliferation, Anti-ter-*  
14 *rorism, Demining and Related Programs") pursuant to this*  
15 *Act, for carrying out the Foreign Assistance Act of 1961,*  
16 *may be used, except for purposes of nuclear safety, to fi-*  
17 *nance the export of nuclear equipment, fuel, or technology.*

18 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*  
19 *COUNTRIES*

20 *SEC. 507. None of the funds appropriated or otherwise*  
21 *made available pursuant to this Act shall be obligated or*  
22 *expended to finance directly any assistance or reparations*  
23 *to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria:*  
24 *Provided, That for purposes of this section, the prohibition*  
25 *on obligations or expenditures shall include direct loans,*  
26 *credits, insurance and guarantees of the Export-Import*

1 *Bank or its agents: Provided further, That assistance or*  
2 *other financing under this Act may be provided for Iraq*  
3 *notwithstanding the provisions of this section or any other*  
4 *law, including comparable provisions contained in prior*  
5 *foreign operations, export financing, and related programs*  
6 *appropriations Acts, if the President determines that the*  
7 *provision of assistance or other financing for Iraq is impor-*  
8 *tant to the national security interests of the United States:*  
9 *Provided further, That such assistance or financing shall*  
10 *be subject to the regular notification procedures of the Com-*  
11 *mittees on Appropriations.*

12 *MILITARY COUPS*

13 *SEC. 508. None of the funds appropriated or otherwise*  
14 *made available pursuant to this Act shall be obligated or*  
15 *expended to finance directly any assistance to the govern-*  
16 *ment of any country whose duly elected head of government*  
17 *is deposed by decree or military coup: Provided, That as-*  
18 *sistance may be resumed to such government if the Presi-*  
19 *dent determines and certifies to the Committees on Appro-*  
20 *priations that subsequent to the termination of assistance*  
21 *a democratically elected government has taken office: Pro-*  
22 *vided further, That the provisions of this section shall not*  
23 *apply to assistance to promote democratic elections or pub-*  
24 *lic participation in democratic processes: Provided further,*  
25 *That funds made available pursuant to the previous pro-*

1 *visos shall be subject to the regular notification procedures*  
2 *of the Committees on Appropriations.*

3 *TRANSFERS BETWEEN ACCOUNTS*

4 *SEC. 509. None of the funds made available by this*  
5 *Act may be obligated under an appropriation account to*  
6 *which they were not appropriated, except for transfers spe-*  
7 *cifically provided for in this Act, unless the President, prior*  
8 *to the exercise of any authority contained in the Foreign*  
9 *Assistance Act of 1961 to transfer funds, consults with and*  
10 *provides a written policy justification to the Committees*  
11 *on Appropriations.*

12 *DEOBLIGATION/REOBLIGATION AUTHORITY*

13 *SEC. 510. Obligated balances of funds appropriated to*  
14 *carry out section 23 of the Arms Export Control Act as*  
15 *of the end of the fiscal year immediately preceding the cur-*  
16 *rent fiscal year are, if deobligated, hereby continued avail-*  
17 *able during the current fiscal year for the same purpose*  
18 *under any authority applicable to such appropriations*  
19 *under this Act: Provided, That the authority of this section*  
20 *may not be used in fiscal year 2003.*

21 *AVAILABILITY OF FUNDS*

22 *SEC. 511. No part of any appropriation contained in*  
23 *this Act shall remain available for obligation after the expi-*  
24 *ration of the current fiscal year unless expressly so provided*  
25 *in this Act: Provided, That funds appropriated for the pur-*  
26 *poses of chapters 1, 8, 11, and 12 of part I, section 667,*

1 *chapter 4 of part II of the Foreign Assistance Act of 1961,*  
2 *as amended, section 23 of the Arms Export Control Act,*  
3 *and funds provided under the heading “Assistance for East-*  
4 *ern Europe and the Baltic States”, shall remain available*  
5 *for an additional four years from the date on which the*  
6 *availability of such funds would otherwise have expired, if*  
7 *such funds are initially obligated before the expiration of*  
8 *their respective periods of availability contained in this Act:*  
9 *Provided further, That, notwithstanding any other provi-*  
10 *sion of this Act, any funds made available for the purposes*  
11 *of chapter 1 of part I and chapter 4 of part II of the Foreign*  
12 *Assistance Act of 1961 which are allocated or obligated for*  
13 *cash disbursements in order to address balance of payments*  
14 *or economic policy reform objectives, shall remain available*  
15 *until expended.*

16 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

17 *SEC. 512. No part of any appropriation contained in*  
18 *this Act shall be used to furnish assistance to the govern-*  
19 *ment of any country which is in default during a period*  
20 *in excess of one calendar year in payment to the United*  
21 *States of principal or interest on any loan made to the gov-*  
22 *ernment of such country by the United States pursuant to*  
23 *an assistance program for which funds are appropriated*  
24 *under this Act unless the Secretary of State determines, fol-*  
25 *lowing consultations with the Committees on Appropria-*

1 *tions, that assistance to such country is in the national in-*  
2 *terest of the United States.*

3 *COMMERCE AND TRADE*

4 *SEC. 513. (a) None of the funds appropriated or made*  
5 *available pursuant to this Act for direct assistance and*  
6 *none of the funds otherwise made available pursuant to this*  
7 *Act to the Export-Import Bank and the Overseas Private*  
8 *Investment Corporation shall be obligated or expended to*  
9 *finance any loan, any assistance or any other financial*  
10 *commitments for establishing or expanding production of*  
11 *any commodity for export by any country other than the*  
12 *United States, if the commodity is likely to be in surplus*  
13 *on world markets at the time the resulting productive ca-*  
14 *capacity is expected to become operative and if the assistance*  
15 *will cause substantial injury to United States producers of*  
16 *the same, similar, or competing commodity: Provided, That*  
17 *such prohibition shall not apply to the Export-Import Bank*  
18 *if in the judgment of its Board of Directors the benefits to*  
19 *industry and employment in the United States are likely*  
20 *to outweigh the injury to United States producers of the*  
21 *same, similar, or competing commodity, and the Chairman*  
22 *of the Board so notifies the Committees on Appropriations.*

23 *(b) None of the funds appropriated by this or any other*  
24 *Act to carry out chapter 1 of part I of the Foreign Assist-*  
25 *ance Act of 1961 shall be available for any testing or breed-*  
26 *ing feasibility study, variety improvement or introduction,*



1 *consultancy, publication, conference, or training in connec-*  
 2 *tion with the growth or production in a foreign country*  
 3 *of an agricultural commodity for export which would com-*  
 4 *pete with a similar commodity grown or produced in the*  
 5 *United States: Provided, That this subsection shall not*  
 6 *prohibit—*

7           (1) *activities designed to increase food security*  
 8 *in developing countries where such activities will not*  
 9 *have a significant impact in the export of agricul-*  
 10 *tural commodities of the United States; or*

11           (2) *research activities intended primarily to ben-*  
 12 *efit American producers.*

13   *SURPLUS COMMODITIES*

14       *SEC. 514. The Secretary of the Treasury shall instruct*  
 15 *the United States Executive Directors of the International*  
 16 *Bank for Reconstruction and Development, the Inter-*  
 17 *national Development Association, the International Fi-*  
 18 *nance Corporation, the Inter-American Development Bank,*  
 19 *the International Monetary Fund, the Asian Development*  
 20 *Bank, the Inter-American Investment Corporation, the*  
 21 *North American Development Bank, the European Bank for*  
 22 *Reconstruction and Development, the African Development*  
 23 *Bank, and the African Development Fund to use the voice*  
 24 *and vote of the United States to oppose any assistance by*  
 25 *these institutions, using funds appropriated or made avail-*  
 26 *able pursuant to this Act, for the production or extraction*

1 *of any commodity or mineral for export, if it is in surplus*  
2 *on world markets and if the assistance will cause substan-*  
3 *tial injury to United States producers of the same, similar,*  
4 *or competing commodity.*

5 *NOTIFICATION REQUIREMENTS*

6 *SEC. 515. For the purposes of providing the executive*  
7 *branch with the necessary administrative flexibility, none*  
8 *of the funds made available under this Act for “Child Sur-*  
9 *vival and Health Programs Fund”, “Development Assist-*  
10 *ance”, “International Organizations and Programs”,*  
11 *“Trade and Development Agency”, “International Nar-*  
12 *cotics Control and Law Enforcement”, “Andean*  
13 *Counterdrug Initiative”, “Assistance for Eastern Europe*  
14 *and the Baltic States”, “Assistance for the Independent*  
15 *States of the Former Soviet Union”, “Economic Support*  
16 *Fund”, “Peacekeeping Operations”, “Operating Expenses*  
17 *of the United States Agency for International Develop-*  
18 *ment”, “Operating Expenses of the United States Agency*  
19 *for International Development Office of Inspector General”,*  
20 *“Nonproliferation, Anti-terrorism, Demining and Related*  
21 *Programs”, “Foreign Military Financing Program”,*  
22 *“International Military Education and Training”, “Peace*  
23 *Corps”, and “Migration and Refugee Assistance”, shall be*  
24 *available for obligation for activities, programs, projects,*  
25 *type of materiel assistance, countries, or other operations*  
26 *not justified or in excess of the amount justified to the Ap-*

1 *propriations Committees for obligation under any of these*  
2 *specific headings unless the Appropriations Committees of*  
3 *both Houses of Congress are previously notified 15 days in*  
4 *advance: Provided, That the President shall not enter into*  
5 *any commitment of funds appropriated for the purposes of*  
6 *section 23 of the Arms Export Control Act for the provision*  
7 *of major defense equipment, other than conventional ammu-*  
8 *nitition, or other major defense items defined to be aircraft,*  
9 *ships, missiles, or combat vehicles, not previously justified*  
10 *to Congress or 20 percent in excess of the quantities justified*  
11 *to Congress unless the Committees on Appropriations are*  
12 *notified 15 days in advance of such commitment: Provided*  
13 *further, That this section shall not apply to any reprogram-*  
14 *ming for an activity, program, or project under chapter 1*  
15 *of part I of the Foreign Assistance Act of 1961 of less than*  
16 *10 percent of the amount previously justified to the Con-*  
17 *gress for obligation for such activity, program, or project*  
18 *for the current fiscal year: Provided further, That the re-*  
19 *quirements of this section or any similar provision of this*  
20 *Act or any other Act, including any prior Act requiring*  
21 *notification in accordance with the regular notification*  
22 *procedures of the Committees on Appropriations, may be*  
23 *waived if failure to do so would pose a substantial risk to*  
24 *human health or welfare: Provided further, That in case*  
25 *of any such waiver, notification to the Congress, or the ap-*

1 *appropriate congressional committees, shall be provided as*  
2 *early as practicable, but in no event later than 3 days after*  
3 *taking the action to which such notification requirement*  
4 *was applicable, in the context of the circumstances necessi-*  
5 *tating such waiver: Provided further, That any notification*  
6 *provided pursuant to such a waiver shall contain an expla-*  
7 *nation of the emergency circumstances.*

8 *LIMITATION ON AVAILABILITY OF FUNDS FOR*  
9 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

10 *SEC. 516. Subject to the regular notification proce-*  
11 *dures of the Committees on Appropriations, funds appro-*  
12 *priated under this Act or any previously enacted Act mak-*  
13 *ing appropriations for foreign operations, export financing,*  
14 *and related programs, which are returned or not made*  
15 *available for organizations and programs because of the im-*  
16 *plementation of section 307(a) of the Foreign Assistance Act*  
17 *of 1961, shall remain available for obligation until Sep-*  
18 *tember 30, 2004.*

19 *INDEPENDENT STATES OF THE FORMER SOVIET UNION*

20 *SEC. 517. (a) None of the funds appropriated under*  
21 *the heading “Assistance for the Independent States of the*  
22 *Former Soviet Union” shall be made available for assist-*  
23 *ance for a government of an Independent State of the former*  
24 *Soviet Union—*

25 *(1) unless that government is making progress in*  
26 *implementing comprehensive economic reforms based*

1        *on market principles, private ownership, respect for*  
2        *commercial contracts, and equitable treatment of for-*  
3        *ign private investment; and*

4            (2) *if that government applies or transfers*  
5        *United States assistance to any entity for the purpose*  
6        *of expropriating or seizing ownership or control of as-*  
7        *sets, investments, or ventures.*

8 *Assistance may be furnished without regard to this sub-*  
9 *section if the President determines that to do so is in the*  
10 *national interest.*

11        (b) *None of the funds appropriated under the heading*  
12 *“Assistance for the Independent States of the Former Soviet*  
13 *Union” shall be made available for assistance for a govern-*  
14 *ment of an Independent State of the former Soviet Union*  
15 *if that government directs any action in violation of the*  
16 *territorial integrity or national sovereignty of any other*  
17 *Independent State of the former Soviet Union, such as those*  
18 *violations included in the Helsinki Final Act: Provided,*  
19 *That such funds may be made available without regard to*  
20 *the restriction in this subsection if the President determines*  
21 *that to do so is in the national security interest of the*  
22 *United States.*

23        (c) *None of the funds appropriated under the heading*  
24 *“Assistance for the Independent States of the Former Soviet*  
25 *Union” shall be made available for any state to enhance*

1 *its military capability: Provided, That this restriction does*  
2 *not apply to demilitarization, demining or nonproliferation*  
3 *programs.*

4 *(d) Funds appropriated under the heading “Assistance*  
5 *for the Independent States of the Former Soviet Union” for*  
6 *the Russian Federation, Armenia, Georgia, and Ukraine*  
7 *shall be subject to the regular notification procedures of the*  
8 *Committees on Appropriations.*

9 *(e) Funds made available in this Act for assistance for*  
10 *the Independent States of the former Soviet Union shall be*  
11 *subject to the provisions of section 117 (relating to environ-*  
12 *ment and natural resources) of the Foreign Assistance Act*  
13 *of 1961.*

14 *(f) Funds appropriated in this or prior appropriations*  
15 *Acts that are or have been made available for an Enterprise*  
16 *Fund in the Independent States of the Former Soviet Union*  
17 *may be deposited by such Fund in interest-bearing accounts*  
18 *prior to the disbursement of such funds by the Fund for*  
19 *program purposes. The Fund may retain for such program*  
20 *purposes any interest earned on such deposits without re-*  
21 *turning such interest to the Treasury of the United States*  
22 *and without further appropriation by the Congress. Funds*  
23 *made available for Enterprise Funds shall be expended at*  
24 *the minimum rate necessary to make timely payment for*  
25 *projects and activities.*

1           (g) *In issuing new task orders, entering into contracts,*  
2 *or making grants, with funds appropriated in this Act or*  
3 *prior appropriations Acts under the heading “Assistance*  
4 *for the Independent States of the Former Soviet Union” and*  
5 *under comparable headings in prior appropriations Acts,*  
6 *for projects or activities that have as one of their primary*  
7 *purposes the fostering of private sector development, the Co-*  
8 *ordinator for United States Assistance to the New Inde-*  
9 *pendent States and the implementing agency shall encour-*  
10 *age the participation of and give significant weight to con-*  
11 *tractors and grantees who propose investing a significant*  
12 *amount of their own resources (including volunteer services*  
13 *and in-kind contributions) in such projects and activities.*

14           *EXPORT FINANCING TRANSFER AUTHORITIES*

15           *SEC. 518. Not to exceed 5 percent of any appropriation*  
16 *other than for administrative expenses made available for*  
17 *fiscal year 2003, for programs under title I of this Act may*  
18 *be transferred between such appropriations for use for any*  
19 *of the purposes, programs, and activities for which the*  
20 *funds in such receiving account may be used, but no such*  
21 *appropriation, except as otherwise specifically provided,*  
22 *shall be increased by more than 25 percent by any such*  
23 *transfer: Provided, That the exercise of such authority shall*  
24 *be subject to the regular notification procedures of the Com-*  
25 *mittees on Appropriations.*

1                    *SPECIAL NOTIFICATION REQUIREMENTS*

2            *SEC. 519. None of the funds appropriated by this Act*  
3 *shall be obligated or expended for Colombia, Haiti, Liberia,*  
4 *Serbia, Sudan, Zimbabwe, Nigeria, Pakistan, or the Demo-*  
5 *cratic Republic of the Congo except as provided through the*  
6 *regular notification procedures of the Committees on Appro-*  
7 *priations.*

8                    *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

9            *SEC. 520. For the purpose of this Act, “program,*  
10 *project, and activity” shall be defined at the appropriations*  
11 *Act account level and shall include all appropriations and*  
12 *authorizations Acts earmarks, ceilings, and limitations*  
13 *with the exception that for the following accounts: Economic*  
14 *Support Fund and Foreign Military Financing Program,*  
15 *“program, project, and activity” shall also be considered*  
16 *to include country, regional, and central program level*  
17 *funding within each such account; for the development as-*  
18 *sistance accounts of the United States Agency for Inter-*  
19 *national Development “program, project, and activity”*  
20 *shall also be considered to include central program level*  
21 *funding, either as: (1) justified to the Congress; or (2) allo-*  
22 *cated by the executive branch in accordance with a report,*  
23 *to be provided to the Committees on Appropriations within*  
24 *30 days of the enactment of this Act, as required by section*  
25 *653(a) of the Foreign Assistance Act of 1961.*



1            *CHILD SURVIVAL AND HEALTH ACTIVITIES*

2            *SEC. 521. Up to \$15,500,000 of the funds made avail-*  
3 *able by this Act for assistance under the heading "Child*  
4 *Survival and Health Programs Fund", may be used to re-*  
5 *imburse United States Government agencies, agencies of*  
6 *State governments, institutions of higher learning, and pri-*  
7 *vate and voluntary organizations for the full cost of indi-*  
8 *viduals (including for the personal services of such individ-*  
9 *uals) detailed or assigned to, or contracted by, as the case*  
10 *may be, the United States Agency for International Devel-*  
11 *opment for the purpose of carrying out activities under that*  
12 *heading: Provided, That up to \$3,500,000 of the funds made*  
13 *available by this Act for assistance under the heading "De-*  
14 *velopment Assistance" may be used to reimburse such agen-*  
15 *cies, institutions, and organizations for such costs of such*  
16 *individuals carrying out other development assistance ac-*  
17 *tivities: Provided further, That funds appropriated by this*  
18 *Act that are made available for child survival activities or*  
19 *health programs including activities relating to research on,*  
20 *and the prevention, treatment and control of, HIV/AIDS*  
21 *may be made available notwithstanding any other provi-*  
22 *sion of law: Provided further, That funds appropriated*  
23 *under title II of this Act may be made available pursuant*  
24 *to section 301 of the Foreign Assistance Act of 1961 if a*  
25 *primary purpose of the assistance is for child survival and*

1 *related programs: Provided further, That of the funds ap-*  
2 *propriated under title II of this Act, not less than*  
3 *\$435,000,000 shall be made available for family planning/*  
4 *reproductive health.*

5 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

6 *SEC. 522. Prior to providing excess Department of De-*  
7 *fense articles in accordance with section 516(a) of the For-*  
8 *eign Assistance Act of 1961, the Department of Defense shall*  
9 *notify the Committees on Appropriations to the same extent*  
10 *and under the same conditions as are other committees pur-*  
11 *suant to subsection (f) of that section: Provided, That before*  
12 *issuing a letter of offer to sell excess defense articles under*  
13 *the Arms Export Control Act, the Department of Defense*  
14 *shall notify the Committees on Appropriations in accord-*  
15 *ance with the regular notification procedures of such Com-*  
16 *mittees if such defense articles are significant military*  
17 *equipment (as defined in section 47(9) of the Arms Export*  
18 *Control Act) or are valued (in terms of original acquisition*  
19 *cost) at \$7,000,000 or more, or if notification is required*  
20 *elsewhere in this Act for the use of appropriated funds for*  
21 *specific countries that would receive such excess defense ar-*  
22 *ticles: Provided further, That such Committees shall also be*  
23 *informed of the original acquisition cost of such defense ar-*  
24 *ticles.*



1 *Tibetan autonomous areas, including the area designated*  
2 *as the “Tibetan Autonomous Region”: Provided further,*  
3 *That funds appropriated under the heading “Economic*  
4 *Support Fund” should be made available for assistance for*  
5 *Taiwan for the purposes of furthering political and legal*  
6 *reforms: Provided further, That such funds shall only be*  
7 *made available to the extent that they are matched from*  
8 *sources other than the United States Government: Provided*  
9 *further, That funds appropriated by this Act that are pro-*  
10 *vided to the National Endowment for Democracy may be*  
11 *made available notwithstanding any other provision of law*  
12 *or regulation and shall be obligated and disbursed within*  
13 *90 days of enactment of this Act: Provided further, That*  
14 *funds made available pursuant to the authority of this sub-*  
15 *section shall be subject to the regular notification procedures*  
16 *of the Committees on Appropriations.*

17       *(b) In addition to the funds made available in sub-*  
18 *section (a), of the funds appropriated by this Act under the*  
19 *heading “Economic Support Fund” not less than*  
20 *\$20,000,000 shall be made available for programs and ac-*  
21 *tivities to foster democracy, human rights, civic education,*  
22 *women’s development, press freedoms, and the rule of law*  
23 *in countries with a significant Muslim population, and*  
24 *where such programs and activities would be important to*  
25 *United States efforts to respond to, deter, or prevent acts*

1 of international terrorism: Provided, That funds made  
2 available pursuant to the authority of this subsection should  
3 support new initiatives or bolster ongoing programs and  
4 activities in those countries: Provided further, That of this  
5 amount, not less than \$10,000,000 shall be made available  
6 for the Human Rights and Democracy Fund of the Bureau  
7 of Democracy, Human Rights and Labor, Department of  
8 State, and not less than \$3,000,000 shall be made available  
9 for programs and activities that provide professional train-  
10 ing for journalists: Provided further, That notwithstanding  
11 any other provision of law, funds made available pursuant  
12 to the authority of this subsection may be made available  
13 to support the advancement of democracy and human rights  
14 in Iran: Provided further, That funds made available pur-  
15 suant to this subsection shall be subject to the regular notifi-  
16 cation procedures of the Committees on Appropriations.

17 (c) Funds made available under this section that are  
18 made available for the Human Rights and Democracy  
19 Fund of the Bureau of Democracy, Human Rights, and  
20 Labor, Department of State, are in addition to the  
21 \$12,000,000 requested by the President for the Fund for fis-  
22 cal year 2003.

23 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST  
24 COUNTRIES

25 SEC. 525. (a) Funds appropriated for bilateral assist-  
26 ance under any heading of this Act and funds appropriated

1 *under any such heading in a provision of law enacted prior*  
2 *to the enactment of this Act, shall not be made available*  
3 *to the government of any country which the President*  
4 *determines—*

5 *(1) grants sanctuary from prosecution to any in-*  
6 *dividual or group which has committed an act of*  
7 *international terrorism; or*

8 *(2) otherwise supports international terrorism.*

9 *(b) The President may waive the application of sub-*  
10 *section (a) to the government of a country if the President*  
11 *determines that national security or humanitarian reasons*  
12 *justify such waiver. At least 15 days before the waiver takes*  
13 *effect, the President shall notify the Committees on Appro-*  
14 *priations of the waiver (including the justification for the*  
15 *waiver) in accordance with the regular notification proce-*  
16 *dures of the Committees on Appropriations.*

17 *PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS*  
18 *THAT EXPORT LETHAL MILITARY EQUIPMENT TO*  
19 *COUNTRIES SUPPORTING INTERNATIONAL TERRORISM*

20 *SEC. 526. (a) None of the funds appropriated or other-*  
21 *wise made available by this Act may be available to any*  
22 *foreign government which provides lethal military equip-*  
23 *ment to a country the government of which the Secretary*  
24 *of State has determined is a terrorist government for pur-*  
25 *poses of section 6(j) of the Export Administration Act. The*  
26 *prohibition under this section with respect to a foreign gov-*

1 *ernment shall terminate 12 months after that government*  
2 *ceases to provide such military equipment. This section ap-*  
3 *plies with respect to lethal military equipment provided*  
4 *under a contract entered into after October 1, 1997.*

5 *(b) Assistance restricted by subsection (a) or any other*  
6 *similar provision of law, may be furnished if the President*  
7 *determines that furnishing such assistance is important to*  
8 *the national interests of the United States.*

9 *(c) Whenever the waiver of subsection (b) is exercised,*  
10 *the President shall submit to the appropriate congressional*  
11 *committees a report with respect to the furnishing of such*  
12 *assistance. Any such report shall include a detailed expla-*  
13 *nation of the assistance to be provided, including the esti-*  
14 *mated dollar amount of such assistance, and an expla-*  
15 *nation of how the assistance furthers United States national*  
16 *interests.*

17 *DEBT-FOR-DEVELOPMENT*

18 *SEC. 527. In order to enhance the continued participa-*  
19 *tion of nongovernmental organizations in economic assist-*  
20 *ance activities under the Foreign Assistance Act of 1961,*  
21 *including endowments, debt-for-development and debt-for-*  
22 *nature exchanges, a nongovernmental organization which*  
23 *is a grantee or contractor of the United States Agency for*  
24 *International Development may place in interest bearing*  
25 *accounts funds made available under this Act or prior Acts*  
26 *or local currencies which accrue to that organization as a*

1 *result of economic assistance provided under title II of this*  
2 *Act and any interest earned on such investment shall be*  
3 *used for the purpose for which the assistance was provided*  
4 *to that organization.*

5 *SEPARATE ACCOUNTS*

6 *SEC. 528. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*  
7 *RENCIES.—(1) If assistance is furnished to the government*  
8 *of a foreign country under chapters 1 and 10 of part I or*  
9 *chapter 4 of part II of the Foreign Assistance Act of 1961*  
10 *under agreements which result in the generation of local*  
11 *currencies of that country, the Administrator of the United*  
12 *States Agency for International Development shall—*

13 *(A) require that local currencies be deposited in*  
14 *a separate account established by that government;*

15 *(B) enter into an agreement with that govern-*  
16 *ment which sets forth—*

17 *(i) the amount of the local currencies to be*  
18 *generated; and*

19 *(ii) the terms and conditions under which*  
20 *the currencies so deposited may be utilized, con-*  
21 *sistent with this section; and*

22 *(C) establish by agreement with that government*  
23 *the responsibilities of the United States Agency for*  
24 *International Development and that government to*  
25 *monitor and account for deposits into and disburse-*  
26 *ments from the separate account.*



1       (2) *USES OF LOCAL CURRENCIES.*—As may be agreed  
2 upon with the foreign government, local currencies depos-  
3 ited in a separate account pursuant to subsection (a), or  
4 an equivalent amount of local currencies, shall be used  
5 only—

6           (A) to carry out chapter 1 or 10 of part I or  
7 chapter 4 of part II (as the case may be), for such  
8 purposes as—

9           (i) project and sector assistance activities;

10           or

11           (ii) debt and deficit financing; or

12           (B) for the administrative requirements of the  
13 United States Government.

14       (3) *PROGRAMMING ACCOUNTABILITY.*—The United  
15 States Agency for International Development shall take all  
16 necessary steps to ensure that the equivalent of the local cur-  
17 rencies disbursed pursuant to subsection (a)(2)(A) from the  
18 separate account established pursuant to subsection (a)(1)  
19 are used for the purposes agreed upon pursuant to sub-  
20 section (a)(2).

21       (4) *TERMINATION OF ASSISTANCE PROGRAMS.*—Upon  
22 termination of assistance to a country under chapter 1 or  
23 10 of part I or chapter 4 of part II (as the case may be),  
24 any unencumbered balances of funds which remain in a  
25 separate account established pursuant to subsection (a)

1 *shall be disposed of for such purposes as may be agreed to*  
2 *by the government of that country and the United States*  
3 *Government.*

4 (5) *REPORTING REQUIREMENT.*—*The Administrator*  
5 *of the United States Agency for International Development*  
6 *shall report on an annual basis as part of the justification*  
7 *documents submitted to the Committees on Appropriations*  
8 *on the use of local currencies for the administrative require-*  
9 *ments of the United States Government as authorized in*  
10 *subsection (a)(2)(B), and such report shall include the*  
11 *amount of local currency (and United States dollar equiva-*  
12 *lent) used and/or to be used for such purpose in each appli-*  
13 *cable country.*

14 (b) *SEPARATE ACCOUNTS FOR CASH TRANSFERS*<sup>1</sup> *If*  
15 *assistance is made available to the government of a foreign*  
16 *country, under chapter 1 or 10 of part I or chapter 4 of*  
17 *part II of the Foreign Assistance Act of 1961, as cash trans-*  
18 *fer assistance or as nonproject sector assistance, that coun-*  
19 *try shall be required to maintain such funds in a separate*  
20 *account and not commingle them with any other funds.*

21 (2) *APPLICABILITY OF OTHER PROVISIONS OF LAW.*—  
22 *Such funds may be obligated and expended notwithstanding*  
23 *provisions of law which are inconsistent with the nature*  
24 *of this assistance including provisions which are referenced*  
25 *in the Joint Explanatory Statement of the Committee of*

1 *Conference accompanying House Joint Resolution 648*  
 2 *(House Report No. 98-1159).*

3       (3) *NOTIFICATION.*—*At least 15 days prior to obli-*  
 4 *gating any such cash transfer or nonproject sector assist-*  
 5 *ance, the President shall submit a notification through the*  
 6 *regular notification procedures of the Committees on Appro-*  
 7 *priations, which shall include a detailed description of how*  
 8 *the funds proposed to be made available will be used, with*  
 9 *a discussion of the United States interests that will be*  
 10 *served by the assistance (including, as appropriate, a de-*  
 11 *scription of the economic policy reforms that will be pro-*  
 12 *moted by such assistance).*

13       (4) *EXEMPTION.*—*Nonproject sector assistance funds*  
 14 *may be exempt from the requirements of subsection (b)(1)*  
 15 *only through the notification procedures of the Committees*  
 16 *on Appropriations.*

17       *COMPENSATION FOR UNITED STATES EXECUTIVE*

18       *DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS*

19       *SEC. 529. (a) No funds appropriated by this Act may*  
 20 *be made as payment to any international financial institu-*  
 21 *tion while the United States Executive Director to such in-*  
 22 *stitution is compensated by the institution at a rate which,*  
 23 *together with whatever compensation such Director receives*  
 24 *from the United States, is in excess of the rate provided*  
 25 *for an individual occupying a position at level IV of the*  
 26 *Executive Schedule under section 5315 of title 5, United*

1 *States Code, or while any alternate United States Director*  
 2 *to such institution is compensated by the institution at a*  
 3 *rate in excess of the rate provided for an individual occu-*  
 4 *pying a position at level V of the Executive Schedule under*  
 5 *section 5316 of title 5, United States Code.*

6 (b) *For purposes of this section, “international finan-*  
 7 *cial institutions” are: the International Bank for Recon-*  
 8 *struction and Development, the Inter-American Develop-*  
 9 *ment Bank, the Asian Development Bank, the Asian Devel-*  
 10 *opment Fund, the African Development Bank, the African*  
 11 *Development Fund, the International Monetary Fund, the*  
 12 *North American Development Bank, and the European*  
 13 *Bank for Reconstruction and Development.*

14 *COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST*  
 15 *IRAQ*

16 *SEC. 530. None of the funds appropriated or otherwise*  
 17 *made available pursuant to this Act to carry out the For-*  
 18 *eign Assistance Act of 1961 (including title IV of chapter*  
 19 *2 of part I, relating to the Overseas Private Investment Cor-*  
 20 *poration) or the Arms Export Control Act may be used to*  
 21 *provide assistance to any country that is not in compliance*  
 22 *with the United Nations Security Council sanctions against*  
 23 *Iraq unless the President determines and so certifies to the*  
 24 *Congress that—*

25 (1) *such assistance is in the national interest of*  
 26 *the United States;*

1           (2) *such assistance will directly benefit the needy*  
 2           *people in that country; or*

3           (3) *the assistance to be provided will be humani-*  
 4           *tarian assistance for foreign nationals who have fled*  
 5           *Iraq and Kuwait.*

6    *AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN*  
 7    *FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION*

8           *SEC. 531. Unless expressly provided to the contrary,*  
 9           *provisions of this or any other Act, including provisions*  
 10          *contained in prior Acts authorizing or making appropria-*  
 11          *tions for foreign operations, export financing, and related*  
 12          *programs, shall not be construed to prohibit activities au-*  
 13          *thorized by or conducted under the Peace Corps Act, the*  
 14          *Inter-American Foundation Act or the African Develop-*  
 15          *ment Foundation Act. The agency shall promptly report to*  
 16          *the Committees on Appropriations whenever it is con-*  
 17          *ducting activities or is proposing to conduct activities in*  
 18          *a country for which assistance is prohibited.*

19                    *IMPACT ON JOBS IN THE UNITED STATES*

20           *SEC. 532. None of the funds appropriated by this Act*  
 21           *may be obligated or expended to provide—*

22                    (i) *any financial incentive to a business enter-*  
 23                    *prise currently located in the United States for the*  
 24                    *purpose of inducing such an enterprise to relocate*  
 25                    *outside the United States if such incentive or induce-*  
 26                    *ment is likely to reduce the number of employees of*

1 *such business enterprise in the United States because*  
2 *United States production is being replaced by such*  
3 *enterprise outside the United States; or*

4 *(b) assistance for any program, project, or activ-*  
5 *ity that contributes to the violation of internationally*  
6 *recognized workers rights, as defined in section 507(4)*  
7 *of the Trade Act of 1974, of workers in the recipient*  
8 *country, including any designated zone or area in*  
9 *that country: Provided, That the application of sec-*  
10 *tion 507(4)(D) and (E) of such Act should be com-*  
11 *mensurate with the level of development of the recipi-*  
12 *ent country and sector, and shall not preclude assist-*  
13 *ance for the informal sector in such country, micro*  
14 *and small-scale enterprise, and smallholder agri-*  
15 *culture.*

16 *SPECIAL AUTHORITIES*

17 *SEC. 533. (a) AFGHANISTAN, VICTIMS OF WAR, DIS-*  
18 *PLACED CHILDREN, VICTIMS OF HUMAN TRAFFICKING AND*  
19 *DISPLACED BURMESE.—Funds appropriated by this Act*  
20 *that are made available for assistance for Afghanistan may*  
21 *be made available notwithstanding section 512 of this Act*  
22 *and any similar provision of law, and funds appropriated*  
23 *in titles I and II of this Act that are made available for*  
24 *victims of war, displaced children, and displaced Burmese,*  
25 *and to assist victims of trafficking in persons and, subject*  
26 *to the regular notification procedures of the Committees on*

1 *Appropriations, to combat such trafficking, may be made*  
2 *available notwithstanding any other provision of law: Pro-*  
3 *vided, That any such funds that are made available for*  
4 *Cambodia shall be subject to the provisions of section 531(e)*  
5 *of the Foreign Assistance Act of 1961 and section 906 of*  
6 *the International Security and Development Cooperation*  
7 *Act of 1985.*

8       **(b) TROPICAL FORESTRY AND BIODIVERSITY CON-**  
9 **SERVATION ACTIVITIES.**—*Funds appropriated by this Act*  
10 *to carry out the provisions of sections 103 through 106, and*  
11 *chapter 4 of part II, of the Foreign Assistance Act of 1961*  
12 *may be used, notwithstanding any other provision of law,*  
13 *for the purpose of supporting tropical forestry and biodiver-*  
14 *sity conservation activities and energy programs aimed at*  
15 *reducing greenhouse gas emissions: Provided, That such as-*  
16 *sistance shall be subject to sections 116, 502B, and 620A*  
17 *of the Foreign Assistance Act of 1961.*

18       **(c) PERSONAL SERVICES CONTRACTORS.**—*Funds ap-*  
19 *propriated by this Act to carry out chapter 1 of part I,*  
20 *chapter 4 of part II, and section 667 of the Foreign Assist-*  
21 *ance Act of 1961, and title II of the Agricultural Trade*  
22 *Development and Assistance Act of 1954, may be used by*  
23 *the United States Agency for International Development to*  
24 *employ up to 25 personal services contractors in the United*  
25 *States, notwithstanding any other provision of law, for the*

1 *purpose of providing direct, interim support for new or ex-*  
2 *panded overseas programs and activities and managed by*  
3 *the agency until permanent direct hire personnel are hired*  
4 *and trained: Provided, That not more than 10 of such con-*  
5 *tractors shall be assigned to any bureau or office: Provided*  
6 *further, That such funds appropriated to carry out the For-*  
7 *eign Assistance Act of 1961 may be made available for per-*  
8 *sonal services contractors assigned only to the Office of*  
9 *Health and Nutrition; the Office of Procurement; the Bu-*  
10 *reau for Africa; the Bureau for Latin America and the Car-*  
11 *ibbean; and the Bureau for Asia and the Near East: Pro-*  
12 *vided further, That such funds appropriated to carry out*  
13 *title II of the Agricultural Trade Development and Assist-*  
14 *ance Act of 1954, may be made available only for personal*  
15 *services contractors assigned to the Office of Food for Peace.*

16 *(d)(1) WAIVER.—The President may waive the provi-*  
17 *sions of section 1003 of Public Law 100–204 if the Presi-*  
18 *dent determines and certifies in writing to the Speaker of*  
19 *the House of Representatives and the President pro tempore*  
20 *of the Senate that it is important to the national security*  
21 *interests of the United States.*

22 *(2) PERIOD OF APPLICATION OF WAIVER.—Any waiv-*  
23 *er pursuant to paragraph (1) shall be effective for no more*  
24 *than a period of 6 months at a time and shall not apply*  
25 *beyond 12 months after the enactment of this Act.*



1       (e) *CONTINGENCIES.*—During fiscal year 2003, the  
2 President may use up to \$45,000,000 under the authority  
3 of section 451 of the Foreign Assistance Act, notwith-  
4 standing the funding ceiling in section 451(a).

5       (f) *SMALL BUSINESS.*—In entering into multiple  
6 award indefinite-quantity contracts with funds appro-  
7 priated by this Act, the United States Agency for Inter-  
8 national Development may provide an exception to the fair  
9 opportunity process for placing task orders under such con-  
10 tracts when the order is placed with any category of small  
11 or small disadvantaged business.

12       (g) *RECONSTITUTING CIVILIAN POLICE AUTHORITY.*—  
13 In providing assistance with funds appropriated by this  
14 Act under section 660(b)(6) of the Foreign Assistance Act  
15 of 1961, support for a nation emerging from instability  
16 may be deemed to mean support for regional, district, mu-  
17 nicipal, or other sub-national entity emerging from insta-  
18 bility, as well as a nation emerging from instability.

19       (h) *REPEAL.*—Section 545(d) of Public Law 106–429,  
20 and comparable provisions contained in prior Acts making  
21 appropriations for foreign operations, export financing,  
22 and related programs, are hereby repealed.

23                                   *ARAB LEAGUE BOYCOTT OF ISRAEL*

24       *SEC. 534. It is the sense of the Senate that—*

25                           (1) *the Arab League boycott of Israel, and the*  
26       *secondary boycott of American firms that have com-*

1        *mercial ties with Israel, is an impediment to peace*  
2        *in the region and to United States investment and*  
3        *trade in the Middle East and North Africa;*

4            *(2) the Arab League boycott, which was regret-*  
5        *tably reinstated in 1997, should be immediately and*  
6        *publicly terminated, and the Central Office for the*  
7        *Boycott of Israel immediately disbanded;*

8            *(3) the three Arab League countries with diplo-*  
9        *matic and trade relations with Israel should return*  
10        *their ambassadors to Israel, should refrain from*  
11        *downgrading their relations with Israel, and should*  
12        *play a constructive role in securing a peaceful resolu-*  
13        *tion of the Israeli-Arab conflict;*

14            *(4) the remaining Arab League states should*  
15        *normalize relations with their neighbor Israel;*

16            *(5) the President and the Secretary of State*  
17        *should continue to vigorously oppose the Arab League*  
18        *boycott of Israel and find concrete steps to dem-*  
19        *onstrate that opposition by, for example, taking into*  
20        *consideration the participation of any recipient coun-*  
21        *try in the boycott when determining to sell weapons*  
22        *to said country; and,*

23            *(6) the President should report to Congress an-*  
24        *nually on specific steps being taken by the United*  
25        *States to encourage Arab League states to normalize*

1        *their relations with Israel to bring about the termi-*  
 2        *nation of the Arab League boycott of Israel, including*  
 3        *those to encourage allies and trading partners of the*  
 4        *United States to enact laws prohibiting businesses*  
 5        *from complying with the boycott and penalizing busi-*  
 6        *nesses that do comply.*

7                    *ADMINISTRATION OF JUSTICE ACTIVITIES*

8        *SEC. 535. Of the funds appropriated or otherwise made*  
 9        *available by this Act for "Economic Support Fund", assist-*  
 10        *ance may be provided to strengthen the administration of*  
 11        *justice in countries in Latin America and the Caribbean*  
 12        *and in other regions consistent with the provisions of sec-*  
 13        *tion 534(b) of the Foreign Assistance Act of 1961, except*  
 14        *that programs to enhance protection of participants in ju-*  
 15        *dicial cases may be conducted notwithstanding section 660*  
 16        *of that Act. Funds made available pursuant to this section*  
 17        *may be made available notwithstanding section 534(c) and*  
 18        *the second and third sentences of section 534(e) of the For-*  
 19        *eign Assistance Act of 1961.*

20                    *ELIGIBILITY FOR ASSISTANCE*

21        *SEC. 536. (a) ASSISTANCE THROUGH NONGOVERN-*  
 22        *MENTAL ORGANIZATIONS.—Restrictions contained in this*  
 23        *or any other Act with respect to assistance for a country*  
 24        *shall not be construed to restrict assistance in support of*  
 25        *programs of nongovernmental organizations from funds ap-*  
 26        *propriated by this Act to carry out the provisions of chap-*

1 *ters 1, 10, 11, and 12 of part I and chapter 4 of part II*  
2 *of the Foreign Assistance Act of 1961, and from funds ap-*  
3 *propriated under the heading “Assistance for Eastern Eu-*  
4 *rope and the Baltic States”: Provided, That before using*  
5 *the authority of this subsection to furnish assistance in sup-*  
6 *port of programs of nongovernmental organizations, the*  
7 *President shall notify the Committees on Appropriations*  
8 *under the regular notification procedures of those commit-*  
9 *tees, including a description of the program to be assisted,*  
10 *the assistance to be provided, and the reasons for furnishing*  
11 *such assistance: Provided further, That nothing in this sub-*  
12 *section shall be construed to alter any existing statutory*  
13 *prohibitions against abortion or involuntary sterilizations*  
14 *contained in this or any other Act.*

15       **(b) PUBLIC LAW 480.**—*During fiscal year 2003, re-*  
16 *strictions contained in this or any other Act with respect*  
17 *to assistance for a country shall not be construed to restrict*  
18 *assistance under the Agricultural Trade Development and*  
19 *Assistance Act of 1954: Provided, That none of the funds*  
20 *appropriated to carry out title I of such Act and made*  
21 *available pursuant to this subsection may be obligated or*  
22 *expended except as provided through the regular notifica-*  
23 *tion procedures of the Committees on Appropriations.*

24       **(c) EXCEPTION.**—*This section shall not apply—*



1 *other Act shall be extended for an additional fiscal year*  
2 *if the Administrator of such agency determines and reports*  
3 *promptly to the Committees on Appropriations that the ter-*  
4 *mination of assistance to a country or a significant change*  
5 *in circumstances makes it unlikely that such earmarked*  
6 *funds can be obligated during the original period of avail-*  
7 *ability: Provided, That such earmarked funds that are con-*  
8 *tinued available for an additional fiscal year shall be obli-*  
9 *gated only for the purpose of such earmark.*

10 *CEILINGS AND EARMARKS*

11 *SEC. 538. Ceilings and earmarks contained in this Act*  
12 *shall not be applicable to funds or authorities appropriated*  
13 *or otherwise made available by any subsequent Act unless*  
14 *such Act specifically so directs. Earmarks or minimum*  
15 *funding requirements contained in any other Act shall not*  
16 *be applicable to funds appropriated by this Act.*

17 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

18 *SEC. 539. No part of any appropriation contained in*  
19 *this Act shall be used for publicity or propaganda purposes*  
20 *within the United States not authorized before the date of*  
21 *the enactment of this Act by the Congress: Provided, That*  
22 *not to exceed \$750,000 may be made available to carry out*  
23 *the provisions of section 316 of Public Law 96-533.*

24 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

25 *SEC. 540. None of the funds appropriated or made*  
26 *available pursuant to this Act for carrying out the Foreign*

1 *Assistance Act of 1961, may be used to pay in whole or*  
2 *in part any assessments, arrearages, or dues of any member*  
3 *of the United Nations or, from funds appropriated by this*  
4 *Act to carry out chapter 1 of part I of the Foreign Assist-*  
5 *ance Act of 1961, the costs for participation of another*  
6 *country's delegation at international conferences held under*  
7 *the auspices of multilateral or international organizations.*

8 *NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION*

9 *SEC. 541. None of the funds appropriated or made*  
10 *available pursuant to this Act shall be available to a non-*  
11 *governmental organization which fails to provide upon*  
12 *timely request any document, file, or record necessary to*  
13 *the auditing requirements of the United States Agency for*  
14 *International Development.*

15 *WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED*

16 *BY FOREIGN COUNTRIES*

17 *SEC. 542. (a) IN GENERAL.—Of the funds appro-*  
18 *priated under this Act that are made available for a foreign*  
19 *country under part I of the Foreign Assistance Act of 1961,*  
20 *an amount equivalent to 110 percent of the total unpaid*  
21 *finances determined to be owed under the parking programs*  
22 *in the District of Columbia and New York City, New York*  
23 *by such country as of September 30, 2002 that were in-*  
24 *curred after the first day of the fiscal year preceding the*  
25 *current fiscal year shall be withheld from obligation for*  
26 *such country until the Secretary of State certifies and re-*

1 *ports in writing to the appropriate congressional commit-*  
2 *tees that such fines and penalties are fully paid to the gov-*  
3 *ernments of the District of Columbia and New York City,*  
4 *New York.*

5 (b) *DEFINITION.*—*For purposes of this section, the*  
6 *term “appropriate congressional committees” means the*  
7 *Committee on Foreign Relations and the Committee on Ap-*  
8 *propriations of the Senate and the Committee on Inter-*  
9 *national Relations and the Committee on Appropriations*  
10 *of the House of Representatives.*

11 *LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST*  
12 *BANK AND GAZA*

13 *SEC. 543. None of the funds appropriated by this Act*  
14 *may be obligated for assistance for the Palestine Liberation*  
15 *Organization for the West Bank and Gaza unless the Presi-*  
16 *dent has exercised the authority under section 604(a) of the*  
17 *Middle East Peace Facilitation Act of 1995 (title VI of Pub-*  
18 *lic Law 104–107) or any other legislation to suspend or*  
19 *make inapplicable section 307 of the Foreign Assistance Act*  
20 *of 1961 and that suspension is still in effect: Provided, That*  
21 *if the President fails to make the certification under section*  
22 *604(b)(2) of the Middle East Peace Facilitation Act of 1995*  
23 *or to suspend the prohibition under other legislation, funds*  
24 *appropriated by this Act may not be obligated for assistance*  
25 *for the Palestine Liberation Organization for the West Bank*  
26 *and Gaza.*



## WAR CRIMES TRIBUNALS DRAWDOWN

1  
2       *SEC. 544. If the President determines that doing so*  
3 *will contribute to a just resolution of charges regarding*  
4 *genocide or other violations of international humanitarian*  
5 *law, the President may direct a drawdown pursuant to sec-*  
6 *tion 552(c) of the Foreign Assistance Act of 1961, as amend-*  
7 *ed, of up to \$30,000,000 of commodities and services for*  
8 *the United Nations War Crimes Tribunal established with*  
9 *regard to the former Yugoslavia by the United Nations Se-*  
10 *curity Council or such other tribunals or commissions as*  
11 *the Council may establish or authorize to deal with such*  
12 *violations, without regard to the ceiling limitation con-*  
13 *tained in paragraph (2) thereof: Provided, That the deter-*  
14 *mination required under this section shall be in lieu of any*  
15 *determinations otherwise required under section 552(c):*  
16 *Provided further, That funds made available for tribunals*  
17 *other than Yugoslavia or Rwanda shall be made available*  
18 *subject to the regular notification procedures of the Commit-*  
19 *tees on Appropriations.*

## LANDMINES

20  
21       *SEC. 545. Notwithstanding any other provision of law,*  
22 *demining equipment available to the United States Agency*  
23 *for International Development and the Department of State*  
24 *and used in support of the clearance of landmines and*  
25 *unexploded ordnance for humanitarian purposes may be*  
26 *disposed of on a grant basis in foreign countries, subject*

1 *to such terms and conditions as the President may pre-*  
2 *scribe.*

3 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

4       *SEC. 546. None of the funds appropriated by this Act*  
5 *may be obligated or expended to create in any part of Jeru-*  
6 *salem a new office of any department or agency of the*  
7 *United States Government for the purpose of conducting of-*  
8 *ficial United States Government business with the Pales-*  
9 *tinian Authority over Gaza and Jericho or any successor*  
10 *Palestinian governing entity provided for in the Israel-PLO*  
11 *Declaration of Principles: Provided, That this restriction*  
12 *shall not apply to the acquisition of additional space for*  
13 *the existing Consulate General in Jerusalem: Provided fur-*  
14 *ther, That meetings between officers and employees of the*  
15 *United States and officials of the Palestinian Authority, or*  
16 *any successor Palestinian governing entity provided for in*  
17 *the Israel-PLO Declaration of Principles, for the purpose*  
18 *of conducting official United States Government business*  
19 *with such authority should continue to take place in loca-*  
20 *tions other than Jerusalem. As has been true in the past,*  
21 *officers and employees of the United States Government*  
22 *may continue to meet in Jerusalem on other subjects with*  
23 *Palestinians (including those who now occupy positions in*  
24 *the Palestinian Authority), have social contacts, and have*  
25 *incidental discussions.*

1        *PROHIBITION OF PAYMENT OF CERTAIN EXPENSES*

2        *SEC. 547. None of the funds appropriated or otherwise*  
3 *made available by this Act under the heading “Inter-*  
4 *national Military Education and Training” or “Foreign*  
5 *Military Financing Program” for Informational Program*  
6 *activities or under the headings “Child Survival and*  
7 *Health Programs Fund”, “Development Assistance”, and*  
8 *“Economic Support Fund” may be obligated or expended*  
9 *to pay for—*

10            (1) *alcoholic beverages; or*

11            (2) *entertainment expenses for activities that are*  
12 *substantially of a recreational character, including*  
13 *but not limited to entrance fees at sporting events,*  
14 *theatrical and musical productions, and amusement*  
15 *parks.*

16            *PALESTINIAN STATEHOOD*

17        *SEC. 548. (a) LIMITATION ON ASSISTANCE.—None of*  
18 *the funds appropriated by this Act may be provided to sup-*  
19 *port a Palestinian state unless the Secretary of State deter-*  
20 *mines and certifies to the appropriate congressional com-*  
21 *mittees that—*

22            (1) *a new leadership of a Palestinian governing*  
23 *entity, that has not supported acts of terrorism, has*  
24 *been democratically elected through free and fair elec-*  
25 *tions;*

1           (2) *the newly elected Palestinian governing*  
2     *entity—*

3                   (A) *has demonstrated a firm commitment to*  
4     *peaceful coexistence with the State of Israel;*

5                   (B) *has taken appropriate measures to*  
6     *counter terrorism and terrorist financing in the*  
7     *West Bank and Gaza, including the dismantling*  
8     *of terrorist infrastructures;*

9                   (C) *has established a Palestinian security*  
10    *entity that is fully cooperating with appropriate*  
11    *Israeli security organizations; and,*

12                  (D) *has taken appropriate measures to*  
13    *enact a constitution assuring the rule of law and*  
14    *other reforms assuring transparent and account-*  
15    *able governance.*

16           (b) *WAIVER.—The President may waive the require-*  
17    *ments of subsection (a) if he determines that it is important*  
18    *to the national security interests of the United States to*  
19    *do so.*

20           (c) *EXEMPTION.—The restriction of subsection (a)*  
21    *shall not apply to assistance intended to help reform the*  
22    *Palestinian Authority and affiliated institutions, or a*  
23    *newly elected governing entity, in order to help meet the*  
24    *requirements of subsection (a), consistent with the provi-*  
25    *sions of sections 543 and 551 of this Act.*

1 *TIBET*

2 *SEC. 549. The Secretary of the Treasury should in-*  
3 *struct the United States executive director to each inter-*  
4 *national financial institution to use the voice and vote to*  
5 *support projects in Tibet if such projects do not provide*  
6 *incentives for the migration and settlement of non-Tibetans*  
7 *into Tibet or facilitate the transfer of ownership of Tibetan*  
8 *land and natural resources to non-Tibetans; are based on*  
9 *a thorough needs-assessment; foster self-sufficiency of the Ti-*  
10 *betan people and respect Tibetan culture and traditions;*  
11 *and are subject to effective monitoring.*

12 *HAITI COAST GUARD*

13 *SEC. 550. The Government of Haiti shall be eligible*  
14 *to purchase defense articles and services under the Arms*  
15 *Export Control Act (22 U.S.C. 2751 et seq.), for the Coast*  
16 *Guard.*

17 *LIMITATION ON ASSISTANCE TO THE PALESTINIAN*18 *AUTHORITY*

19 *SEC. 551. (a) PROHIBITION OF FUNDS.—None of the*  
20 *funds appropriated by this Act to carry out the provisions*  
21 *of chapter 4 of part II of the Foreign Assistance Act of 1961*  
22 *may be obligated or expended with respect to providing*  
23 *funds to the Palestinian Authority.*

24 *(b) WAIVER.—The prohibition included in subsection*  
25 *(a) shall not apply if the President certifies in writing to*  
26 *the Speaker of the House of Representatives and the Presi-*

1 *dent pro tempore of the Senate that waiving such prohibi-*  
2 *tion is important to the national security interests of the*  
3 *United States.*

4 *(c) PERIOD OF APPLICATION OF WAIVER.—Any waiv-*  
5 *er pursuant to subsection (b) shall be effective for no more*  
6 *than a period of 6 months at a time and shall not apply*  
7 *beyond 12 months after the enactment of this Act.*

8 *LIMITATION ON ASSISTANCE TO SECURITY FORCES*

9 *SEC. 552. None of the funds made available by this*  
10 *Act may be provided to any unit of the security forces of*  
11 *a foreign country if the Secretary of State has credible evi-*  
12 *dence that such unit has committed gross violations of*  
13 *human rights, unless the Secretary determines and reports*  
14 *to the Committees on Appropriations that the government*  
15 *of such country is taking effective measures to bring the re-*  
16 *sponsible members of the security forces unit to justice: Pro-*  
17 *vided, That nothing in this section shall be construed to*  
18 *withhold funds made available by this Act from any unit*  
19 *of the security forces of a foreign country not credibly al-*  
20 *leged to be involved in gross violations of human rights:*  
21 *Provided further, That in the event that funds are withheld*  
22 *from any unit pursuant to this section, the Secretary of*  
23 *State shall promptly inform the foreign government of the*  
24 *basis for such action and shall, to the maximum extent*  
25 *practicable, assist the foreign government in taking effective*

1 *measures to bring the responsible members of the security*  
2 *forces to justice.*

3 *PROTECTION OF TROPICAL FORESTS AND BIODIVERSITY*

4 *SEC. 553. Of the funds appropriated under the heading*  
5 *“Development Assistance”, not less than \$150,000,000 shall*  
6 *be made available for programs and activities which di-*  
7 *rectly protect tropical forests and biodiversity, including*  
8 *activities to deter illegal logging: Provided, That of the*  
9 *funds made available pursuant to this section, not less than*  
10 *\$15,000,000 shall be made available for the Central African*  
11 *Regional Program for the Environment.*

12 *ENERGY CONSERVATION, ENERGY EFFICIENCY AND CLEAN*

13 *ENERGY PROGRAMS*

14 *SEC. 554. (a) FUNDING.—Of the funds appropriated*  
15 *by this Act, not less than \$185,000,000 shall be made avail-*  
16 *able to support policies and programs in developing coun-*  
17 *tries, countries in transition and other partner countries*  
18 *that directly (1) promote a wide range of energy conserva-*  
19 *tion, energy efficiency and clean energy programs and ac-*  
20 *tivities, including the transfer of clean and environmentally*  
21 *sustainable energy technologies; (2) measure, monitor, and*  
22 *reduce greenhouse gas emissions; (3) increase carbon seques-*  
23 *tration activities; and (4) enhance climate change mitiga-*  
24 *tion and adaptation programs: Provided, That of the funds*  
25 *made available under this heading, not less than*  
26 *\$13,000,000 should be made available for the United States*

1 *Agency for International Development's Office of Energy*  
2 *and Information Technology.*

3 (b) *GREENHOUSE GAS EMISSIONS REPORT.*—*Not later*  
4 *than 45 days after the date on which the President's fiscal*  
5 *year 2004 budget request is submitted to Congress, the*  
6 *President shall submit a report to the Committees on Ap-*  
7 *propriations describing in detail the following—*

8 (1) *all Federal agency obligations and expendi-*  
9 *tures, domestic and international, for climate change*  
10 *programs and activities in fiscal year 2003, including*  
11 *an accounting of expenditures by agency with each*  
12 *agency identifying climate change activities and asso-*  
13 *ciated costs by line item as presented in the Presi-*  
14 *dent's Budget Appendix; and*

15 (2) *all fiscal year 2002 obligations and estimated*  
16 *expenditures, fiscal year 2003 estimated expenditures*  
17 *and estimated obligations, and fiscal year 2004 re-*  
18 *quested funds by the United States Agency for Inter-*  
19 *national Development, by country and central pro-*  
20 *gram, for each of the following: (1) to promote the*  
21 *transfer and deployment of a wide range of United*  
22 *States clean energy and energy efficiency technologies;*  
23 *(2) to assist in the measurement, monitoring, report-*  
24 *ing, verification, and reduction of greenhouse gas*  
25 *emissions; (3) to promote carbon capture and seques-*





1 *provided in the previous proviso, \$5,000,000 shall be made*  
2 *available to support activities directed by the Afghan Min-*  
3 *istry of Women's Affairs including the establishment of*  
4 *women's resource centers in Afghanistan, and not less than*  
5 *\$1,500,000 should be made available to support activities*  
6 *of the National Human Rights Commission of Afghanistan:*  
7 *Provided further, That 1 year after the date of enactment*  
8 *of this Act, the Secretary of State shall submit a report to*  
9 *the appropriate congressional committees that details wom-*  
10 *en's development programs in Afghanistan supported by the*  
11 *United States Government, and barriers that impede wom-*  
12 *en's development in Afghanistan.*

13 *ZIMBABWE*

14 *SEC. 556. The Secretary of the Treasury shall instruct*  
15 *the United States executive director to each international*  
16 *financial institution to vote against any extension by the*  
17 *respective institution of any loans, to the Government of*  
18 *Zimbabwe, except to meet basic human needs or to promote*  
19 *democracy, unless the Secretary of State determines and*  
20 *certifies to the Committees on Appropriations that the rule*  
21 *of law has been restored in Zimbabwe, including respect*  
22 *for ownership and title to property, freedom of speech and*  
23 *association.*

24 *NIGERIA*

25 *SEC. 557. Funds appropriated under the headings*  
26 *"International Military Education and Training" and*

1 *“Foreign Military Financing Program” may be made*  
2 *available for Nigeria only for expanded international mili-*  
3 *tary education and training and non-lethal defense articles,*  
4 *until the President certifies to the appropriate congressional*  
5 *committees that the Nigerian Minister of Defense, the Chief*  
6 *of the Army Staff, and the Minister of State for Defense/*  
7 *Army are suspending from the Armed Forces those mem-*  
8 *bers, of whatever rank, against whom there is credible evi-*  
9 *dence of gross violations of human rights in Benue State*  
10 *in October 2001, and the Government of Nigeria and the*  
11 *Nigerian Armed Forces are taking effective measures to*  
12 *bring such individuals to justice.*

13 *BURMA*

14 *SEC. 558. Of the funds appropriated under the heading*  
15 *“Economic Support Fund”, not less than \$6,500,000 shall*  
16 *be made available to support democracy activities in*  
17 *Burma, democracy and humanitarian activities along the*  
18 *Burma-Thailand border, and for Burmese student groups*  
19 *and other organizations located outside Burma: Provided,*  
20 *That funds made available for Burma-related activities*  
21 *under this heading may be made available notwithstanding*  
22 *any other provision of law: Provided further, That funds*  
23 *made available by this section shall be subject to the regular*  
24 *notification procedures of the Committees on Appropria-*  
25 *tions.*



1 *ance for democratic opposition political parties in Cam-*  
2 *bodia.*

3 *(d) Of the funds appropriated by this Act, \$3,750,000*  
4 *shall be made available, notwithstanding subsection (b), as*  
5 *a contribution for an endowment to sustain rehabilitation*  
6 *programs for Cambodians suffering from physical disabil-*  
7 *ities that are administered by an American nongovern-*  
8 *mental organization that is directly supported by the*  
9 *United States Agency for International Development: Pro-*  
10 *vided, That funds made available for such assistance shall*  
11 *be in addition to the level of assistance proposed by the*  
12 *President for Cambodia for fiscal year 2003: Provided fur-*  
13 *ther, That such funds may be made available only if an*  
14 *amount at least equal to one-half the United States con-*  
15 *tribution is provided for the endowment from sources other*  
16 *than the United States Government.*

17 *FOREIGN MILITARY TRAINING REPORT*

18 *SEC. 561. (a) The Secretary of Defense and the Sec-*  
19 *retary of State shall jointly provide to the Congress by*  
20 *March 1, 2003, a report on all military training provided*  
21 *to foreign military personnel (excluding sales, and exclud-*  
22 *ing training provided to the military personnel of countries*  
23 *belonging to the North Atlantic Treaty Organization) under*  
24 *programs administered by the Department of Defense and*  
25 *the Department of State during fiscal years 2002 and 2003,*  
26 *including those proposed for fiscal year 2003. This report*

1 shall include, for each such military training activity, the  
2 foreign policy justification and purpose for the training ac-  
3 tivity, the cost of the training activity, the number of for-  
4 eign students trained and their units of operation, and the  
5 location of the training. In addition, this report shall also  
6 include, with respect to United States personnel, the oper-  
7 ational benefits to United States forces derived from each  
8 such training activity and the United States military units  
9 involved in each such training activity. This report may  
10 include a classified annex if deemed necessary and appro-  
11 priate.

12 (b) For purposes of this section a report to Congress  
13 shall be deemed to mean a report to the Appropriations and  
14 Foreign Relations Committees of the Senate and the Appro-  
15 priations and International Relations Committees of the  
16 House of Representatives.

17 *KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION*

18 *SEC. 562. None of the funds appropriated by this Act,*  
19 *or prior Acts making appropriations for foreign operations,*  
20 *export financing, and related programs, may be made*  
21 *available for assistance to the Korean Peninsula Energy*  
22 *Organization (KEDO): Provided, That the President may*  
23 *waive this restriction and provide up to \$3,500,000 of funds*  
24 *appropriated under the heading "Nonproliferation, Anti-*  
25 *Terrorism, Demining and Related Programs" for assistance*  
26 *to KEDO for administrative expenses only notwithstanding*

1 *any other provision of law, if he determines that it is vital*  
2 *to the national security interests of the United States and*  
3 *provides a written policy justification to the appropriate*  
4 *congressional committees: Provided further, That funds*  
5 *may be obligated for assistance to KEDO subject to the reg-*  
6 *ular notification procedures of the Committees on Appro-*  
7 *priations.*

8 *COLOMBIA*

9 *SEC. 563. (a) DETERMINATION AND CERTIFICATION*  
10 *REQUIRED.—Notwithstanding any other provision of law,*  
11 *funds appropriated by this Act that are available for assist-*  
12 *ance for the Colombian Armed Forces, may be made avail-*  
13 *able for assistance to support the Colombian Government's*  
14 *unified campaign against narcotics trafficking and against*  
15 *paramilitary and guerrilla organizations designated as ter-*  
16 *rorist organizations in that country, as follows:*

17 *(1) Up to 75 percent of such funds may be obli-*  
18 *gated prior to a determination and certification by*  
19 *the Secretary of State pursuant to paragraph (2).*

20 *(2) Up to 12.5 percent of such funds may be obli-*  
21 *gated only after the Secretary of State certifies and*  
22 *reports to the appropriate congressional committees*  
23 *that:*

24 *(A) The Commander General of the Colom-*  
25 *bian Armed Forces is suspending from the*  
26 *Armed Forces those members, of whatever rank,*

1           *who have been credibly alleged to have committed*  
2           *gross violations of human rights, including*  
3           *extra-judicial killings, or to have aided or abet-*  
4           *ted paramilitary organizations.*

5           *(B) The Colombian Government is pros-*  
6           *ecuting and punishing those members of the Co-*  
7           *lombian Armed Forces, of whatever rank, who*  
8           *have been credibly alleged to have committed*  
9           *gross violations of human rights, including*  
10          *extra-judicial killings, or to have aided or abet-*  
11          *ted paramilitary organizations, and the Colom-*  
12          *bian Armed Forces are cooperating with civilian*  
13          *prosecutors and judicial authorities in such cases*  
14          *(including providing requested information, such*  
15          *as the identity of persons suspended from the*  
16          *Armed Forces and the nature and cause of the*  
17          *suspension, and access to witnesses, relevant*  
18          *military documents, and other requested infor-*  
19          *mation).*

20          *(C) The Colombian Armed Forces are sev-*  
21          *ering links (including denying access to military*  
22          *intelligence, vehicles, and other equipment or*  
23          *supplies, and ceasing other forms of active or*  
24          *tacit cooperation) at the command, battalion,*



1           *and brigade levels, with paramilitary organiza-*  
2           *tions.*

3           *(D) The Colombian Armed Forces are ap-*  
4           *prehending the leaders of paramilitary organiza-*  
5           *tions.*

6           *(3) The balance of such funds may be obligated*  
7           *after July 1, 2003, if the Secretary of State certifies*  
8           *and reports to the appropriate congressional commit-*  
9           *tees, after such date, that the Colombian Armed*  
10          *Forces are continuing to meet the conditions con-*  
11          *tained in paragraph (2) and are conducting vigorous*  
12          *operations to restore government authority and re-*  
13          *spect for human rights in areas under the effective*  
14          *control of paramilitary and guerrilla organizations.*

15          *(b) CONSULTATIVE PROCESS.—At least 10 days prior*  
16          *to making the certifications required by subsection (a), the*  
17          *Secretary of State shall consult with internationally recog-*  
18          *nized human rights organizations regarding progress in*  
19          *meeting the conditions contained in that subsection.*

20          *(c) DEFINITIONS.—In this section:*

21                 *(1) AIDED OR ABETTED.—The term “aided or*  
22                 *abetted” means to provide any support to para-*  
23                 *military groups, including taking actions which*  
24                 *allow, facilitate, or otherwise foster the activities of*  
25                 *such groups.*





## 1 WEST BANK AND GAZA PROGRAM

2 SEC. 567. For fiscal year 2003, 30 days prior to the  
3 initial obligation of funds for the bilateral West Bank and  
4 Gaza Program, the Secretary of State shall certify to the  
5 appropriate committees of Congress that procedures have  
6 been established to assure the Comptroller General of the  
7 United States will have access to appropriate United States  
8 financial information in order to review the uses of United  
9 States assistance for the Program funded under the heading  
10 “Economic Support Fund” for the West Bank and Gaza.

## 11 INDONESIA

12 SEC. 568. (a) Funds appropriated by this Act under  
13 the heading “Foreign Military Financing Program” may  
14 be made available for assistance for Indonesia, and licenses  
15 may be issued for the export of lethal defense articles to In-  
16 donesia, only if the President certifies to the appropriate  
17 congressional committees that—

18 (1) the Indonesia Minister of Defense is sus-  
19 pending from the Armed Forces those members, of  
20 whatever rank, who have been credibly alleged to have  
21 committed gross violations of human rights, or to  
22 have aided or abetted militia groups;

23 (2) the Indonesian Government is prosecuting  
24 and punishing those members of the Indonesian  
25 Armed Forces, of whatever rank, who have been  
26 credibly alleged to have committed gross violations of

1        *human rights, or to have aided or abetted militia*  
2        *groups, and the Indonesian Armed Forces are cooper-*  
3        *ating with civilian prosecutors and judicial authori-*  
4        *ties in such cases (including providing access to wit-*  
5        *nesses, relevant military documents, and other re-*  
6        *quested information); and*

7                *(3) the Minister of Defense is making publicly*  
8        *available audits of receipts and expenditures of the*  
9        *Indonesian Armed Forces, including audits of receipts*  
10       *from private enterprises and foundations.*

11        *RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS*

12                        *DESTABILIZING SIERRA LEONE*

13        *SEC. 569. (a) None of the funds appropriated by this*  
14       *Act may be made available for assistance for the govern-*  
15       *ment of any country for which the Secretary of State deter-*  
16       *mines there is credible evidence that such government has*  
17       *knowingly facilitated the safe passage of weapons or other*  
18       *equipment, or has provided lethal or non-lethal military*  
19       *support or equipment, directly or through intermediaries,*  
20       *within the previous six months to the Sierra Leone Revolu-*  
21       *tionary United Front, Liberian Security Forces, or any*  
22       *other group intent on destabilizing the democratically elect-*  
23       *ed government of the Republic of Sierra Leone.*

24                *(b) None of the funds appropriated by this Act may*  
25       *be made available for assistance for the government of any*  
26       *country for which the Secretary of State determines there*

1 *is credible evidence that such government has aided or abet-*  
2 *ted, within the previous six months, in the illicit distribu-*  
3 *tion, transportation, or sale of diamonds mined in Sierra*  
4 *Leone.*

5 *(c) Whenever the prohibition on assistance required*  
6 *under subsection (a) or (b) is exercised, the Secretary of*  
7 *State shall notify the Committees on Appropriations in a*  
8 *timely manner.*

9 *VOLUNTARY SEPARATION INCENTIVES*

10 *SEC. 570. Section 579(c)(2)(D) of the Foreign Oper-*  
11 *ations, Export Financing, and Related Programs Appro-*  
12 *priations Act, 2000, as enacted by section 1000(a)(2) of the*  
13 *Consolidated Appropriations Act, 2000 (Public Law 106-*  
14 *113), as amended, is amended by striking “December 31,*  
15 *2002” and inserting in lieu thereof “December 31, 2003”.*

16 *CENTRAL ASIA*

17 *SEC. 571. (a) Funds appropriated by this Act may*  
18 *be made available for assistance for the Government of*  
19 *Uzbekistan only if the Secretary of State determines and*  
20 *reports to the Committees on Appropriations that the Gov-*  
21 *ernment of Uzbekistan is making substantial and con-*  
22 *tinuing progress in meeting its commitments under the*  
23 *“Declaration on the Strategic Partnership and Cooperation*  
24 *Framework Between the Republic of Uzbekistan and the*  
25 *United States of America”.*

1       (b) *Funds appropriated by this Act may be made*  
2 *available for assistance for the Government of Kazakhstan*  
3 *only if the Secretary of State determines and reports to the*  
4 *Committees on Appropriations that the Government of*  
5 *Kazakhstan has made significant improvements in the pro-*  
6 *tection of human rights during the preceding six month pe-*  
7 *riod.*

8       (c) *Not later than three months after the date of the*  
9 *enactment of this Act, and seven months thereafter, the Sec-*  
10 *retary of State shall submit a report to the Committees on*  
11 *Appropriations describing the following:*

12           (1) *The defense articles, defense services, and fi-*  
13 *nancial assistance provided by the United States to*  
14 *the countries of Central Asia during the six-month pe-*  
15 *riod ending 30 days prior to submission of each such*  
16 *report.*

17           (2) *The use during such period of defense arti-*  
18 *cles, defense services, and financial assistance pro-*  
19 *vided by the United States by units of the armed*  
20 *forces, border guards, or other security forces of such*  
21 *countries.*

22       (d) *For purposes of this section, the term “countries*  
23 *of Central Asia” means Uzbekistan, Kazakhstan, Kyrgyz*  
24 *Republic, Tajikistan, and Turkmenistan.*

1     *AMERICAN CHURCHWOMEN AND OTHER CITIZENS IN EL*  
2                                     *SALVADOR AND GUATEMALA*

3             *SEC. 572. (a) Information relevant to the December 2,*  
4 *1980, murders of four American churchwomen in El Sal-*  
5 *vador, and the May 5, 2001, murder of Sister Barbara Ann*  
6 *Ford and the murders of other American citizens in Guate-*  
7 *mala since December 1999, should be investigated and made*  
8 *public.*

9             *(b) Not later than 45 days after enactment of this Act,*  
10 *the President shall order all Federal agencies and depart-*  
11 *ments, including the Federal Bureau of Investigation, that*  
12 *possess relevant information, to expeditiously declassify and*  
13 *release to the victims' families such information, consistent*  
14 *with existing standards and procedures on classification,*  
15 *and shall provide a copy of such order to the Committees*  
16 *on Appropriations.*

17             *(c) In making determinations concerning declassifica-*  
18 *tion and release of relevant information, all Federal agen-*  
19 *cies and departments should use the discretion contained*  
20 *within such existing standards and procedures on classi-*  
21 *fication in support of releasing, rather than withholding,*  
22 *such information.*

23             *(d) All reasonable efforts should be taken by the Amer-*  
24 *ican Embassy in Guatemala to work with relevant agencies*  
25 *of the Guatemalan Government to protect the safety of*



1 *American citizens in Guatemala, and to assist in the inves-*  
2 *tigations of violations of human rights.*

3 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

4 *SEC. 573. Notwithstanding any other provision of law,*  
5 *and subject to the regular notification procedures of the*  
6 *Committees on Appropriations, the authority of section*  
7 *23(a) of the Arms Export Control Act may be used to pro-*  
8 *vide financing to Israel, Egypt and NATO and major non-*  
9 *NATO allies for the procurement by leasing (including leas-*  
10 *ing with an option to purchase) of defense articles from*  
11 *United States commercial suppliers, not including Major*  
12 *Defense Equipment (other than helicopters and other types*  
13 *of aircraft having possible civilian application), if the*  
14 *President determines that there are compelling foreign pol-*  
15 *icy or national security reasons for those defense articles*  
16 *being provided by commercial lease rather than by govern-*  
17 *ment-to-government sale under such Act.*

18 *WAR CRIMINALS*

19 *SEC. 574. (a)(1) None of the funds appropriated or*  
20 *otherwise made available pursuant to this Act may be made*  
21 *available for assistance, and the Secretary of the Treasury*  
22 *shall instruct the United States executive directors to the*  
23 *international financial institutions to vote against any new*  
24 *project involving the extension by such institutions of any*  
25 *financial or technical assistance, to any country, entity, or*  
26 *municipality whose competent authorities have failed, as*

1 *determined by the Secretary of State, to take necessary and*  
2 *significant steps to implement its international legal obli-*  
3 *gations to apprehend and transfer to the International*  
4 *Criminal Tribunal for the former Yugoslavia (the “Tri-*  
5 *bunal”)* all persons in their territory who have been pub-  
6 *licly indicted by the Tribunal and to otherwise cooperate*  
7 *with the Tribunal.*

8       (2) *The provisions of this subsection shall not apply*  
9 *to humanitarian assistance or assistance for democratiza-*  
10 *tion.*

11       (b) *The provisions of subsection (a) shall apply unless*  
12 *the Secretary of State determines and reports to the appro-*  
13 *priate congressional committees that the competent authori-*  
14 *ties of such country, entity, or municipality are—*

15               (1) *cooperating with the Tribunal, including*  
16 *unimpeded access for investigators to archives and*  
17 *witnesses, the provision of documents, and the sur-*  
18 *render and transfer of indictees or assistance in their*  
19 *apprehension; and*

20               (2) *are acting consistently with the Dayton Ac-*  
21 *cords.*

22       (c) *Not less than 10 days before any vote in an inter-*  
23 *national financial institution regarding the extension of*  
24 *any new project involving financial or technical assistance*  
25 *or grants to any country or entity described in subsection*

1 (a), the Secretary of the Treasury, in consultation with the  
2 Secretary of State, shall provide to the Committees on Ap-  
3 propriations a written justification for the proposed assist-  
4 ance, including an explanation of the United States posi-  
5 tion regarding any such vote, as well as a description of  
6 the location of the proposed assistance by municipality, its  
7 purpose, and its intended beneficiaries.

8 (d) In carrying out this section, the Secretary of State,  
9 the Administrator of the United States Agency for Inter-  
10 national Development, and the Secretary of the Treasury  
11 shall consult with representatives of human rights organiza-  
12 tions and all government agencies with relevant informa-  
13 tion to help prevent indicted war criminals from benefiting  
14 from any financial or technical assistance or grants pro-  
15 vided to any country or entity described in subsection (a).

16 (e) The Secretary of State may waive the application  
17 of subsection (a) with respect to projects within a country,  
18 entity, or municipality upon a written determination to  
19 the Committees on Appropriations that such assistance di-  
20 rectly supports the implementation of the Dayton Accords.

21 (f) *DEFINITIONS.*—As used in this section—

22 (1) *COUNTRY.*—The term “country” means Bos-  
23 nia and Herzegovina, Croatia and Serbia.



1 2003, if the President has made the determination and cer-  
2 tification contained in subsection (c).

3 (b) After March 31, 2003, the Secretary of the Treasury  
4 should instruct the United States executive directors to the  
5 international financial institutions to support loans and  
6 assistance to the Government of the Federal Republic of  
7 Yugoslavia subject to the conditions in subsection (c): Pro-  
8 vided, That section 576 of the Foreign Operations, Export  
9 Financing, and Related Programs Appropriations Act,  
10 1997, as amended, shall not apply to the provision of loans  
11 and assistance to the Federal Republic of Yugoslavia  
12 through international financial institutions.

13 (c) The determination and certification referred to in  
14 subsection (a) is a determination by the President and a  
15 certification to the Committees on Appropriations that the  
16 Government of the Federal Republic of Yugoslavia is—

17 (1) cooperating, on a continuing basis, with the  
18 International Criminal Tribunal for the former Yugo-  
19 slavia including unimpeded access for investigators to  
20 archives and witnesses, the provision of documents,  
21 and the surrender and transfer of indictees or assist-  
22 ance in their apprehension;

23 (2) taking steps to implement policies which re-  
24 flect a respect for minority rights and the rule of law,  
25 including ending Serbian financial, political, security



1        *mittees on Appropriations describing the progress*  
2        *these programs are making toward improving police*  
3        *relations with the communities they serve and institu-*  
4        *tionalizing an effective community-based police pro-*  
5        *gram.*

6            (2) *The requirements of paragraph (1) are in*  
7        *lieu of the requirements contains in section 587(b) of*  
8        *Public Law 107–115.*

9            (c) *NOTIFICATION.*—*Assistance provided under sub-*  
10        *section (a) shall be subject to the regular notification proce-*  
11        *dures of the Committees on Appropriations.*

12        *EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTHERN*  
13        *EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES*

14        *SEC. 578. Notwithstanding section 516(e) of the For-*  
15        *ign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during*  
16        *each of the fiscal years 2003 and 2004, funds available to*  
17        *the Department of Defense may be expended for crating,*  
18        *packing, handling, and transportation of excess defense ar-*  
19        *ticles transferred under the authority of section 516 of such*  
20        *Act to Albania, Bulgaria, Croatia, Estonia, Former Yugo-*  
21        *slavia Republic of Macedonia, Georgia, India, Kazakhstan,*  
22        *Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Paki-*  
23        *stan, Romania, Slovakia, Slovenia, Tajikistan,*  
24        *Turkmenistan, Ukraine, and Uzbekistan: Provided, That*  
25        *section 105 of Public Law 104–164 is amended by striking*  
26        *“2002 and 2003” and inserting “2003 and 2004”.*

1        *OVERSEAS PRIVATE INVESTMENT CORPORATION AND*  
2                    *EXPORT-IMPORT BANK RESTRICTIONS*

3        *SEC. 579. (a) LIMITATION ON USE OF FUNDS BY*  
4 *OPIIC.—None of the funds made available in this Act may*  
5 *be used by the Overseas Private Investment Corporation to*  
6 *insure, reinsure, guarantee, or finance any investment in*  
7 *connection with a project involving the mining, polishing*  
8 *or other processing, or sale of diamonds in a country that*  
9 *fails to meet the requirements of subsection (c).*

10        *(b) LIMITATION ON USE OF FUNDS BY THE EXPORT-*  
11 *IMPORT BANK.—None of the funds made available in this*  
12 *Act may be used by the Export-Import Bank of the United*  
13 *States to guarantee, insure, extend credit, or participate in*  
14 *an extension of credit in connection with the export of any*  
15 *goods to a country for use in an enterprise involving the*  
16 *mining, polishing or other processing, or sale of diamonds*  
17 *in a country that fails to meet the requirements of sub-*  
18 *section (c).*

19        *(c) REQUIREMENTS.—The requirements referred to in*  
20 *subsections (a) and (b) are that the country concerned is*  
21 *implementing the recommendations, obligations and re-*  
22 *quirements developed by the Kimberley Process on conflict*  
23 *diamonds, or taking other measures that the Secretary of*  
24 *State determines to contribute effectively to preventing and*  
25 *eliminating the trade in conflict diamonds.*





1 *as a method of family planning or to motivate or coerce*  
2 *any person to practice abortions. None of the funds made*  
3 *available to carry out part I of the Foreign Assistance Act*  
4 *of 1961, as amended, may be used to pay for the perform-*  
5 *ance of involuntary sterilization as a method of family*  
6 *planning or to coerce or provide any financial incentive*  
7 *to any person to undergo sterilizations. None of the funds*  
8 *made available to carry out part I of the Foreign Assistance*  
9 *Act of 1961, as amended, may be used to pay for any bio-*  
10 *medical research which relates in whole or in part, to meth-*  
11 *ods of, or the performance of, abortions or involuntary steri-*  
12 *lization as a means of family planning. None of the funds*  
13 *made available to carry out part I of the Foreign Assistance*  
14 *Act of 1961, as amended, may be obligated or expended for*  
15 *any country or organization if the President certifies that*  
16 *the use of these funds by any such country or organization*  
17 *would violate any of the above provisions related to abor-*  
18 *tions and involuntary sterilizations.*

19 *TROPICAL FOREST CONSERVATION*

20 *SEC. 582. Of the funds appropriated under the head-*  
21 *ings "Development Assistance" and "Economic Support*  
22 *Fund", \$50,000,000 is available to carry out tropical forest*  
23 *conservation activities authorized by the Foreign Assistance*  
24 *Act of 1961, of which amount up to \$40,000,000 may be*  
25 *available for the cost, as defined in section 502 of the Con-*  
26 *gressional Budget Act of 1974, of modifying loans and loan*

1 *guarantees, pursuant to the provisions of part V of such*  
2 *Act, the Tropical Forest Conservation Act of 1998.*

3 *REGIONAL DEMOCRACY PROGRAMS FOR EAST ASIA AND*  
4 *THE PACIFIC*

5 *SEC. 583. Funds appropriated by this Act under the*  
6 *heading “Economic Support Fund” that are available for*  
7 *“Regional Democracy” assistance for East Asia and the Pa-*  
8 *cific shall be made available only through the National En-*  
9 *dowment for Democracy.*

10 *TRANSPARENCY AND ACCOUNTABILITY*

11 *SEC. 584. (a) FINDINGS.—The Congress finds that—*

12 *(1) There is a lack of transparency in the reve-*  
13 *nuues and expenditures of the national budgets of*  
14 *many developing countries that receive United States*  
15 *assistance.*

16 *(2) In such countries, official revenues—particu-*  
17 *larly from natural resource extraction—are often un-*  
18 *reported, under-reported, or inaccurately recorded by*  
19 *foreign government agencies.*

20 *(3) Such inefficiencies—which in some instances*  
21 *mask outright theft—result in the failure of such gov-*  
22 *ernments to adequately provide their citizens with so-*  
23 *cial, political, economic, and legal benefits and oppor-*  
24 *tunities, and undermine the effectiveness of assistance*  
25 *provided to such countries by the United States and*  
26 *other international donors.*

1           (4) *Good governance and respect for the rule of*  
2           *law are critical to a nation's development.*

3           (b) *REPORT.—Not more than 90 days after enactment*  
4           *of this Act, the Secretary of State shall submit a report to*  
5           *the Committees on Appropriations, describing in detail—*

6           (1) *Those countries whose central governments*  
7           *receive foreign assistance from the United States;*

8           (2) *Relevant laws and regulations in such coun-*  
9           *tries governing the public disclosure of revenues and*  
10          *expenditures in national budgets;*

11          (3) *The adequacy of those laws and regulations,*  
12          *and the extent to which they are implemented and en-*  
13          *forced;*

14          (4) *Those countries receiving such assistance*  
15          *where no such laws or regulations exist, and the ex-*  
16          *tent to which such revenues and expenditures are pub-*  
17          *licly disclosed; and*

18          (5) *Programs and activities sponsored by the*  
19          *United States Government to promote accurate disclo-*  
20          *sure of revenues and expenditures in the national*  
21          *budgets of such countries, and the results of those pro-*  
22          *grams and activities.*

23          *SEC. 585. EXTENSION OF PROHIBITION OF OIL AND*  
24          *GAS DRILLING IN THE GREAT LAKES. Section 503 of the*  
25          *Energy and Water Resources Development Appropriations*

1 *Act, 2002 (115 Stat. 512), is amended by striking “2002*  
2 *and 2003” and inserting “2002 through 2005”.*

3       *SEC. 586. SENSE OF THE SENATE WITH RESPECT TO*  
4 *NORTH KOREA. It is the sense of the Senate that—*

5           *(1) North Korea has violated the basic terms of*  
6 *the Agreed Framework Between the United States of*  
7 *America and the Democratic People’s Republic of*  
8 *Korea, signed in Geneva on October 21, 1994 (and the*  
9 *Confidential Minute to that agreement), and the*  
10 *North-South Joint Declaration on the Denuclear-*  
11 *ization of the Korean Peninsula by pursuing the en-*  
12 *richment of uranium for the purpose of building a*  
13 *nuclear weapon and by “nuclearizing” the Korean*  
14 *peninsula;*

15           *(2) North Korea has announced its intention to*  
16 *restart the 5-megawatt reactor and related reprocess-*  
17 *ing facility at Yongbyon, which were frozen under the*  
18 *Agreed Framework, and has expelled the Inter-*  
19 *national Atomic Energy Agency personnel monitoring*  
20 *the freeze;*

21           *(3) North Korea has announced its intention to*  
22 *withdraw from the Treaty on the Non-Proliferation of*  
23 *Nuclear Weapons, done at Washington, London, and*  
24 *Moscow on July 1, 1968 (21 UST 483);*

1           (4) *the Agreed Framework is, as a result of*  
2 *North Korea's own actions over several years and re-*  
3 *cent declaration, null and void;*

4           (5) *North Korea's pursuit and development of*  
5 *nuclear weapons is of grave concern and represents a*  
6 *serious threat to the security of the United States, its*  
7 *regional allies, and friends;*

8           (6) *North Korea must immediately come into*  
9 *compliance with its obligations under the Treaty on*  
10 *the Non-Proliferation of Nuclear Weapons and other*  
11 *commitments to the international community;*

12           (7) *any diplomatic solution to the North Korean*  
13 *crisis must achieve the total dismantlement of North*  
14 *Korea's nuclear weapons and nuclear production ca-*  
15 *pability, including effective and comprehensive*  
16 *verification requirements, on-site monitoring, and free*  
17 *access for the investigation of all sites of concern;*

18           (8) *the United States, in conjunction with the*  
19 *Republic of Korea and other allies in the Pacific re-*  
20 *gion, should take measures to ensure the highest pos-*  
21 *sible level of deterrence and military readiness*  
22 *against the multiple threats that North Korea poses;*

23           (9) *since 1995, the United States has been the*  
24 *single largest food donor to North Korea, providing*  
25 *\$620,000,000 in food aid assistance over that time;*

1           (10) *North Korea does not allow full verification*  
2           *of the use of food aid assistance, as shown by the fail-*  
3           *ure of North Korea to permit the World Food Pro-*  
4           *gram to introduce a system of random access moni-*  
5           *toring of such use in North Korea and the failure of*  
6           *North Korea to provide the World Food Program with*  
7           *a list of institutions through which World Food Pro-*  
8           *gram food is provided to beneficiaries;*

9           (11) *the failures described in paragraph (10) fall*  
10          *short of humanitarian practice in emergency oper-*  
11          *ations in other parts of the world; and*

12          (12) *North Korea should allow full verification of*  
13          *the use of food aid assistance by—*

14                (A) *providing the World Food Program*  
15                *with a list of institutions through which World*  
16                *Food Program food is provided to beneficiaries;*

17                (B) *permitting the World Food Program to*  
18                *introduce a system of random access monitoring*  
19                *in North Korea; and*

20                (C) *providing access for the World Food*  
21                *Program in all counties in North Korea.*

22          *This division may be cited as the “Foreign Operations,*  
23          *Export Financing, and Related Programs Appropriations*  
24          *Act, 2003”.*

1 *DIVISION F—INTERIOR AND RELATED AGENCIES*  
2 *APPROPRIATIONS, 2003*

3 *Making appropriations for the Department of the Interior*  
4 *and related agencies for the fiscal year ending Sep-*  
5 *tember 30, 2003, and for other purposes.*

6 *That the following sums are appropriated, out of any*  
7 *money in the Treasury not otherwise appropriated, for the*  
8 *Department of the Interior and related agencies for the fis-*  
9 *cal year ending September 30, 2003, and for other purposes,*  
10 *namely:*

11 *TITLE I—DEPARTMENT OF THE INTERIOR*

12 *BUREAU OF LAND MANAGEMENT*

13 *MANAGEMENT OF LANDS AND RESOURCES*

14 *For expenses necessary for protection, use, improve-*  
15 *ment, development, disposal, cadastral surveying, classifica-*  
16 *tion, acquisition of easements and other interests in lands,*  
17 *and performance of other functions, including maintenance*  
18 *of facilities, as authorized by law, in the management of*  
19 *lands and their resources under the jurisdiction of the Bu-*  
20 *reau of Land Management, including the general adminis-*  
21 *tration of the Bureau, and assessment of mineral potential*  
22 *of public lands pursuant to Public Law 96-487 (16 U.S.C.*  
23 *3150(a)), \$816,062,000, to remain available until expended,*  
24 *of which \$1,000,000 is for high priority projects which shall*  
25 *be carried out by the Youth Conservation Corps; of which*



1 \$4,000,000 shall be available for assessment of the mineral  
2 potential of public lands in Alaska pursuant to section 1010  
3 of Public Law 96-487 (16 U.S.C. 3150); and of which not  
4 to exceed \$1,000,000 shall be derived from the special receipt  
5 account established by the Land and Water Conservation  
6 Act of 1965, as amended (16 U.S.C. 460l-6a(i)); and of  
7 which \$3,000,000 shall be available in fiscal year 2003 sub-  
8 ject to a match by at least an equal amount by the National  
9 Fish and Wildlife Foundation, to such Foundation for cost-  
10 shared projects supporting conservation of Bureau lands  
11 and such funds shall be advanced to the Foundation as a  
12 lump sum grant without regard to when expenses are in-  
13 curred; in addition, \$32,696,000 for Mining Law Adminis-  
14 tration program operations, including the cost of admin-  
15 istering the mining claim fee program; to remain available  
16 until expended, to be reduced by amounts collected by the  
17 Bureau and credited to this appropriation from annual  
18 mining claim fees so as to result in a final appropriation  
19 estimated at not more than \$816,062,000, and \$2,000,000,  
20 to remain available until expended, from communication  
21 site rental fees established by the Bureau for the cost of ad-  
22 ministering communication site activities: Provided, That  
23 appropriations herein made shall not be available for the  
24 destruction of healthy, unadopted, wild horses and burros  
25 in the care of the Bureau or its contractors.

## WILDLAND FIRE MANAGEMENT

1  
2       *For necessary expenses for fire preparedness, suppres-*  
3 *sion operations, fire science and research, emergency reha-*  
4 *bilitation, hazardous fuels reduction, and rural fire assist-*  
5 *ance by the Department of the Interior, \$654,254,000, to*  
6 *remain available until expended, of which not to exceed*  
7 *\$12,374,000 shall be for the renovation or construction of*  
8 *fire facilities: Provided, That such funds are also available*  
9 *for repayment of advances to other appropriation accounts*  
10 *from which funds were previously transferred for such pur-*  
11 *poses: Provided further, That persons hired pursuant to 43*  
12 *U.S.C. 1469 may be furnished subsistence and lodging with-*  
13 *out cost from funds available from this appropriation: Pro-*  
14 *vided further, That notwithstanding 42 U.S.C. 1856d, sums*  
15 *received by a bureau or office of the Department of the Inte-*  
16 *rior for fire protection rendered pursuant to 42 U.S.C. 1856*  
17 *et seq., protection of United States property, may be cred-*  
18 *ited to the appropriation from which funds were expended*  
19 *to provide that protection, and are available without fiscal*  
20 *year limitation: Provided further, That using the amounts*  
21 *designated under this title of this Act, the Secretary of the*  
22 *Interior may enter into procurement contracts, grants, or*  
23 *cooperative agreements, for hazardous fuels reduction ac-*  
24 *tivities, and for training and monitoring associated with*  
25 *such hazardous fuels reduction activities, on Federal land,*

1 *or on adjacent non-Federal land for activities that benefit*  
2 *resources on Federal land: Provided further, That the costs*  
3 *of implementing any cooperative agreement between the*  
4 *Federal government and any non-Federal entity may be*  
5 *shared, as mutually agreed on by the affected parties: Pro-*  
6 *vided further, That in entering into such grants or coopera-*  
7 *tive agreements, the Secretary may consider the enhance-*  
8 *ment of local and small business employment opportunities*  
9 *for rural communities, and that in entering into procure-*  
10 *ment contracts under this section on a best value basis, the*  
11 *Secretary may take into account the ability of an entity*  
12 *to enhance local and small business employment opportuni-*  
13 *ties in rural communities, and that the Secretary may*  
14 *award procurement contracts, grants, or cooperative agree-*  
15 *ments under this section to entities that include local non-*  
16 *profit entities, Youth Conservation Corps or related part-*  
17 *nerships, or small or disadvantaged businesses: Provided*  
18 *further, That funds appropriated under this head may be*  
19 *used to reimburse the United States Fish and Wildlife Serv-*  
20 *ice and the National Marine Fisheries Service for the costs*  
21 *of carrying out their responsibilities under the Endangered*  
22 *Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and*  
23 *conference, as required by section 7 of such Act in connec-*  
24 *tion with wildland fire management activities.*

1                    *CENTRAL HAZARDOUS MATERIALS FUND*

2            *For necessary expenses of the Department of the Inte-*  
3 *rior and any of its component offices and bureaus for the*  
4 *remedial action, including associated activities, of haz-*  
5 *ardous waste substances, pollutants, or contaminants pur-*  
6 *suant to the Comprehensive Environmental Response, Com-*  
7 *pensation, and Liability Act, as amended (42 U.S.C. 9601*  
8 *et seq.), \$9,978,000, to remain available until expended:*  
9 *Provided, That notwithstanding 31 U.S.C. 3302, sums re-*  
10 *covered from or paid by a party in advance of or as reim-*  
11 *bursement for remedial action or response activities con-*  
12 *ducted by the Department pursuant to section 107 or 113(f)*  
13 *of such Act, shall be credited to this account to be available*  
14 *until expended without further appropriation: Provided*  
15 *further, That such sums recovered from or paid by any*  
16 *party are not limited to monetary payments and may in-*  
17 *clude stocks, bonds or other personal or real property, which*  
18 *may be retained, liquidated, or otherwise disposed of by the*  
19 *Secretary and which shall be credited to this account.*

20                    *CONSTRUCTION*

21            *For construction of buildings, recreation facilities,*  
22 *roads, trails, and appurtenant facilities, \$12,976,000, to re-*  
23 *main available until expended.*

24                    *PAYMENTS IN LIEU OF TAXES*

25            *For expenses necessary to implement the Act of October*  
26 *20, 1976, as amended (31 U.S.C. 6901–6907),*

1 \$210,000,000, of which not to exceed \$400,000 shall be  
2 available for administrative expenses: Provided, That no  
3 payment shall be made to otherwise eligible units of local  
4 government if the computed amount of the payment is less  
5 than \$100.

6 *LAND ACQUISITION*

7 *For expenses necessary to carry out sections 205, 206,*  
8 *and 318(d) of Public Law 94-579, including administra-*  
9 *tive expenses and acquisition of lands or waters, or interests*  
10 *therein, \$30,150,000, to be derived from the Land and*  
11 *Water Conservation Fund and to remain available until*  
12 *expended.*

13 *OREGON AND CALIFORNIA GRANT LANDS*

14 *For expenses necessary for management, protection,*  
15 *and development of resources and for construction, oper-*  
16 *ation, and maintenance of access roads, reforestation, and*  
17 *other improvements on the revested Oregon and California*  
18 *Railroad grant lands, on other Federal lands in the Oregon*  
19 *and California land-grant counties of Oregon, and on adja-*  
20 *cent rights-of-way; and acquisition of lands or interests*  
21 *therein including existing connecting roads on or adjacent*  
22 *to such grant lands; \$105,633,000, to remain available until*  
23 *expended: Provided, That 25 percent of the aggregate of all*  
24 *receipts during the current fiscal year from the revested Or-*  
25 *egon and California Railroad grant lands is hereby made*  
26 *a charge against the Oregon and California land-grant*

1 *fund and shall be transferred to the General Fund in the*  
 2 *Treasury in accordance with the second paragraph of sub-*  
 3 *section (b) of title II of the Act of August 28, 1937 (50 Stat.*  
 4 *876).*

5 *FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND*  
 6 *(REVOLVING FUND, SPECIAL ACCOUNT)*

7 *In addition to the purposes authorized in Public Law*  
 8 *102–381, funds made available in the Forest Ecosystem*  
 9 *Health and Recovery Fund can be used for the purpose of*  
 10 *planning, preparing, implementing and monitoring salvage*  
 11 *timber sales and forest ecosystem health and recovery activi-*  
 12 *ties such as release from competing vegetation and density*  
 13 *control treatments. The Federal share of receipts (defined*  
 14 *as the portion of salvage timber receipts not paid to the*  
 15 *counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et*  
 16 *seq., and Public Law 106–393) derived from treatments*  
 17 *funded by this account shall be deposited into the Forest*  
 18 *Ecosystem Health and Recovery Fund.*

19 *RANGE IMPROVEMENTS*

20 *For rehabilitation, protection, and acquisition of lands*  
 21 *and interests therein, and improvement of Federal range-*  
 22 *lands pursuant to section 401 of the Federal Land Policy*  
 23 *and Management Act of 1976 (43 U.S.C. 1701), notwith-*  
 24 *standing any other Act, sums equal to 50 percent of all*  
 25 *moneys received during the prior fiscal year under sections*  
 26 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.)*

1 *and the amount designated for range improvements from*  
2 *grazing fees and mineral leasing receipts from Bankhead-*  
3 *Jones lands transferred to the Department of the Interior*  
4 *pursuant to law, but not less than \$10,000,000, to remain*  
5 *available until expended: Provided, That not to exceed*  
6 *\$600,000 shall be available for administrative expenses.*

7 *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

8 *For administrative expenses and other costs related to*  
9 *processing application documents and other authorizations*  
10 *for use and disposal of public lands and resources, for costs*  
11 *of providing copies of official public land documents, for*  
12 *monitoring construction, operation, and termination of fa-*  
13 *cilities in conjunction with use authorizations, and for re-*  
14 *habilitation of damaged property, such amounts as may be*  
15 *collected under Public Law 94-579, as amended, and Public*  
16 *Law 93-153, to remain available until expended: Provided,*  
17 *That notwithstanding any provision to the contrary of sec-*  
18 *tion 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any*  
19 *moneys that have been or will be received pursuant to that*  
20 *section, whether as a result of forfeiture, compromise, or set-*  
21 *tlement, if not appropriate for refund pursuant to section*  
22 *305(c) of that Act (43 U.S.C. 1735(c)), shall be available*  
23 *and may be expended under the authority of this Act by*  
24 *the Secretary to improve, protect, or rehabilitate any public*  
25 *lands administered through the Bureau of Land Manage-*  
26 *ment which have been damaged by the action of a resource*

1 *developer, purchaser, permittee, or any unauthorized per-*  
2 *son, without regard to whether all moneys collected from*  
3 *each such action are used on the exact lands damaged which*  
4 *led to the action: Provided further, That any such moneys*  
5 *that are in excess of amounts needed to repair damage to*  
6 *the exact land for which funds were collected may be used*  
7 *to repair other damaged public lands.*

8 *MISCELLANEOUS TRUST FUNDS*

9 *In addition to amounts authorized to be expended*  
10 *under existing laws, there is hereby appropriated such*  
11 *amounts as may be contributed under section 307 of the*  
12 *Act of October 21, 1976 (43 U.S.C. 1701), and such*  
13 *amounts as may be advanced for administrative costs, sur-*  
14 *veys, appraisals, and costs of making conveyances of omit-*  
15 *ted lands under section 211(b) of that Act, to remain avail-*  
16 *able until expended.*

17 *ADMINISTRATIVE PROVISIONS*

18 *Appropriations for the Bureau of Land Management*  
19 *shall be available for purchase, erection, and dismantlement*  
20 *of temporary structures, and alteration and maintenance*  
21 *of necessary buildings and appurtenant facilities to which*  
22 *the United States has title; up to \$100,000 for payments,*  
23 *at the discretion of the Secretary, for information or evi-*  
24 *dence concerning violations of laws administered by the Bu-*  
25 *reau; miscellaneous and emergency expenses of enforcement*  
26 *activities authorized or approved by the Secretary and to*



1 *be accounted for solely on her certificate, not to exceed*  
2 *\$10,000: Provided, That notwithstanding 44 U.S.C. 501,*  
3 *the Bureau may, under cooperative cost-sharing and part-*  
4 *nership arrangements authorized by law, procure printing*  
5 *services from cooperators in connection with jointly pro-*  
6 *duced publications for which the cooperators share the cost*  
7 *of printing either in cash or in services, and the Bureau*  
8 *determines the cooperator is capable of meeting accepted*  
9 *quality standards.*

10 *UNITED STATES FISH AND WILDLIFE SERVICE*

11 *RESOURCE MANAGEMENT*

12 *For necessary expenses of the United States Fish and*  
13 *Wildlife Service, for scientific and economic studies, con-*  
14 *servation, management, investigations, protection, and uti-*  
15 *lization of fishery and wildlife resources, except whales,*  
16 *seals, and sea lions, maintenance of the herd of long-horned*  
17 *cattle on the Wichita Mountains Wildlife Refuge, general*  
18 *administration, and for the performance of other authorized*  
19 *functions related to such resources by direct expenditure,*  
20 *contracts, grants, cooperative agreements and reimbursable*  
21 *agreements with public and private entities, \$902,697,000,*  
22 *to remain available until September 30, 2004, except as oth-*  
23 *erwise provided herein: Provided, That not less than*  
24 *\$2,000,000 shall be provided to local governments in south-*  
25 *ern California for planning associated with the Natural*

1 *Communities Conservation Planning (NCCP) program and*  
2 *shall remain available until expended: Provided further,*  
3 *That \$2,000,000 is for high priority projects which shall*  
4 *be carried out by the Youth Conservation Corps: Provided*  
5 *further, That not to exceed \$9,077,000 shall be used for im-*  
6 *plementing subsections (a), (b), (c), and (e) of section 4 of*  
7 *the Endangered Species Act, as amended, for species that*  
8 *are indigenous to the United States (except for processing*  
9 *petitions, developing and issuing proposed and final regula-*  
10 *tions, and taking any other steps to implement actions de-*  
11 *scribed in subsection (c)(2)(A), (c)(2)(B)(i), or*  
12 *(c)(2)(B)(ii)), of which not to exceed \$5,000,000 shall be*  
13 *used for any activity regarding the designation of critical*  
14 *habitat, pursuant to subsection (a)(3), excluding litigation*  
15 *support, for species already listed pursuant to subsection*  
16 *(a)(1) as of the date of enactment this Act: Provided further,*  
17 *That of the amount available for law enforcement, up to*  
18 *\$400,000 to remain available until expended, may at the*  
19 *discretion of the Secretary, be used for payment for infor-*  
20 *mation, rewards, or evidence concerning violations of laws*  
21 *administered by the Service, and miscellaneous and emer-*  
22 *gency expenses of enforcement activity, authorized or ap-*  
23 *proved by the Secretary and to be accounted for solely on*  
24 *her certificate: Provided further, That of the amount pro-*  
25 *vided for environmental contaminants, up to \$1,000,000*

1 *may remain available until expended for contaminant sam-*  
2 *ple analyses.*

3 *CONSTRUCTION*

4 *For construction, improvement, acquisition, or re-*  
5 *moval of buildings and other facilities required in the con-*  
6 *servation, management, investigation, protection, and utili-*  
7 *zation of fishery and wildlife resources, and the acquisition*  
8 *of lands and interests therein; \$42,882,000, to remain avail-*  
9 *able until expended: Provided, That notwithstanding any*  
10 *other provision of law, a single procurement for the con-*  
11 *struction of the Kodiak National Wildlife Refuge visitor*  
12 *center may be issued which includes the full scope of the*  
13 *project: Provided further, That the solicitation and the con-*  
14 *tract shall contain the clause “availability of funds” found*  
15 *at 48 CFR 52.232.18.*

16 *LAND ACQUISITION*

17 *For expenses necessary to carry out the Land and*  
18 *Water Conservation Fund Act of 1965, as amended (16*  
19 *U.S.C. 460l-4 through 11), including administrative ex-*  
20 *penses, and for acquisition of land or waters, or interest*  
21 *therein, in accordance with statutory authority applicable*  
22 *to the United States Fish and Wildlife Service, \$81,555,000,*  
23 *to be derived from the Land and Water Conservation Fund*  
24 *and to remain available until expended: Provided, That*  
25 *none of the funds appropriated for specific land acquisition*

1 *projects can be used to pay for any administrative over-*  
 2 *head, planning or other management costs.*

3 *LANDOWNER INCENTIVE PROGRAM*

4 *For administrative expenses associated with a Land-*  
 5 *owner Incentive Program established in Public Law 107-*  
 6 *63, \$600,000, to be derived from the Land and Water Con-*  
 7 *servaion Fund and to remain available until expended.*

8 *STEWARDSHIP GRANTS*

9 *For administrative expenses associated with a Private*  
 10 *Stewardship Program established in Public Law 107-63,*  
 11 *\$200,000, to be derived from the Land and Water Conserva-*  
 12 *tion Fund and to remain available until expended.*

13 *COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND*

14 *For expenses necessary to carry out section 6 of the*  
 15 *Endangered Species Act of 1973 (16 U.S.C. 1531-1543),*  
 16 *as amended, \$81,000,000, to be derived from the Coopera-*  
 17 *tive Endangered Species Conservation Fund and to remain*  
 18 *available until expended.*

19 *NATIONAL WILDLIFE REFUGE FUND*

20 *For expenses necessary to implement the Act of October*  
 21 *17, 1978 (16 U.S.C. 715s), \$14,414,000.*

22 *NORTH AMERICAN WETLANDS CONSERVATION FUND*

23 *For expenses necessary to carry out the provisions of*  
 24 *the North American Wetlands Conservation Act, Public*  
 25 *Law 101-233, as amended, \$38,560,000, to remain avail-*  
 26 *able until expended.*

1            *NEOTROPICAL MIGRATORY BIRD CONSERVATION*

2            *For financial assistance for projects to promote the*  
3 *conservation of neotropical migratory birds in accordance*  
4 *with the Neotropical Migratory Bird Conservation Act,*  
5 *Public Law 106–247 (16 U.S.C. 6101–6109), \$2,000,000,*  
6 *to remain available until expended.*

7            *MULTINATIONAL SPECIES CONSERVATION FUND*

8            *For expenses necessary to carry out the African Ele-*  
9 *phant Conservation Act (16 U.S.C. 4201–4203, 4211–4213,*  
10 *4221–4225, 4241–4245, and 1538), the Asian Elephant*  
11 *Conservation Act of 1997 (Public Law 105–96; 16 U.S.C.*  
12 *4261–4266), the Rhinoceros and Tiger Conservation Act of*  
13 *1994 (16 U.S.C. 5301–5306), and the Great Ape Conserva-*  
14 *tion Act of 2000 (16 U.S.C. 6301), \$4,200,000, to remain*  
15 *available until expended.*

16            *STATE AND TRIBAL WILDLIFE GRANTS*

17            *For wildlife conservation grants to States and to the*  
18 *District of Columbia, Puerto Rico, Guam, the United States*  
19 *Virgin Islands, the Northern Mariana Islands, American*  
20 *Samoa, and federally recognized Indian tribes under the*  
21 *provisions of the Fish and Wildlife Act of 1956 and the*  
22 *Fish and Wildlife Coordination Act, for the development*  
23 *and implementation of programs for the benefit of wildlife*  
24 *and their habitat, including species that are not hunted or*  
25 *fished, \$45,000,000, to be derived from the Land and Water*  
26 *Conservation Fund and to remain available until expended:*

1 *Provided, That of the amount provided herein, \$3,000,000*  
2 *is for a competitive grant program for Indian tribes not*  
3 *subject to the remaining provisions of this appropriation:*  
4 *Provided further, That the Secretary shall, after deducting*  
5 *said \$3,000,000 and administrative expenses, apportion the*  
6 *amount provided herein in the following manner: (A) to*  
7 *the District of Columbia and to the Commonwealth of Puer-*  
8 *to Rico, each a sum equal to not more than one-half of 1*  
9 *percent thereof: and (B) to Guam, American Samoa, the*  
10 *United States Virgin Islands, and the Commonwealth of the*  
11 *Northern Mariana Islands, each a sum equal to not more*  
12 *than one-fourth of 1 percent thereof: Provided further, That*  
13 *the Secretary shall apportion the remaining amount in the*  
14 *following manner: (A) one-third of which is based on the*  
15 *ratio to which the land area of such State bears to the total*  
16 *land area of all such States; and (B) two-thirds of which*  
17 *is based on the ratio to which the population of such State*  
18 *bears to the total population of all such States: Provided*  
19 *further, That the amounts apportioned under this para-*  
20 *graph shall be adjusted equitably so that no State shall be*  
21 *apportioned a sum which is less than 1 percent of the*  
22 *amount available for apportionment under this paragraph*  
23 *for any fiscal year or more than 5 percent of such amount:*  
24 *Provided further, That the Federal share of planning grants*  
25 *shall not exceed 75 percent of the total costs of such projects*

1 *and the Federal share of implementation grants shall not*  
2 *exceed 50 percent of the total costs of such projects: Provided*  
3 *further, That the non-Federal share of such projects may*  
4 *not be derived from Federal grant programs: Provided fur-*  
5 *ther, That no State, territory, or other jurisdiction shall re-*  
6 *ceive a grant unless it has developed, or committed to de-*  
7 *velop by October 1, 2005, a comprehensive wildlife conserva-*  
8 *tion plan, consistent with criteria established by the Sec-*  
9 *retary of the Interior, that considers the broad range of the*  
10 *State, territory, or other jurisdiction's wildlife and associ-*  
11 *ated habitats, with appropriate priority placed on those*  
12 *species with the greatest conservation need and taking into*  
13 *consideration the relative level of funding available for the*  
14 *conservation of those species: Provided further, That any*  
15 *amount apportioned in 2003 to any State, territory, or*  
16 *other jurisdiction that remains unobligated as of September*  
17 *30, 2004, shall be reapportioned, together with funds appro-*  
18 *priated in 2005, in the manner provided herein.*

19 *ADMINISTRATIVE PROVISIONS*

20 *Appropriations and funds available to the United*  
21 *States Fish and Wildlife Service shall be available for pur-*  
22 *chase of not to exceed 102 passenger motor vehicles, of which*  
23 *75 are for replacement only (including 39 for police-type*  
24 *use); repair of damage to public roads within and adjacent*  
25 *to reservation areas caused by operations of the Service; op-*  
26 *tions for the purchase of land at not to exceed \$1 for each*

1 *option; facilities incident to such public recreational uses*  
2 *on conservation areas as are consistent with their primary*  
3 *purpose; and the maintenance and improvement of aquaria,*  
4 *buildings, and other facilities under the jurisdiction of the*  
5 *Service and to which the United States has title, and which*  
6 *are used pursuant to law in connection with management*  
7 *and investigation of fish and wildlife resources: Provided,*  
8 *That notwithstanding 44 U.S.C. 501, the Service may,*  
9 *under cooperative cost sharing and partnership arrange-*  
10 *ments authorized by law, procure printing services from co-*  
11 *operators in connection with jointly produced publications*  
12 *for which the cooperators share at least one-half the cost*  
13 *of printing either in cash or services and the Service deter-*  
14 *mines the cooperator is capable of meeting accepted quality*  
15 *standards: Provided further, That the Service may accept*  
16 *donated aircraft as replacements for existing aircraft: Pro-*  
17 *vided further, That the United States Fish and Wildlife*  
18 *Service is authorized to grant \$500,000 appropriated in*  
19 *Public Law 107-63 for land acquisition to the Narragansett*  
20 *Indian Tribe for acquisition of the Great Salt Pond burial*  
21 *tract: Provided further, That notwithstanding any other*  
22 *provision of law, the Secretary of the Interior may not*  
23 *spend any of the funds appropriated in this Act for the*  
24 *purchase of lands or interests in lands to be used in the*  
25 *establishment of any new unit of the National Wildlife Ref-*



1 *uge System unless the purchase is approved in advance by*  
2 *the House and Senate Committees on Appropriations in*  
3 *compliance with the reprogramming procedures contained*  
4 *in House Report 107–63.*

5 *NATIONAL PARK SERVICE*

6 *OPERATION OF THE NATIONAL PARK SYSTEM*

7 *For expenses necessary for the management, operation,*  
8 *and maintenance of areas and facilities administered by*  
9 *the National Park Service (including special road mainte-*  
10 *nance service to trucking permittees on a reimbursable*  
11 *basis), and for the general administration of the National*  
12 *Park Service, \$1,571,065,000, of which \$6,878,000 for plan-*  
13 *ning and interagency coordination in support of Everglades*  
14 *restoration shall remain available until expended; of which*  
15 *\$88,280,000, to remain available until September 30, 2004,*  
16 *is for maintenance repair or rehabilitation projects for con-*  
17 *structed assets, operation of the National Park Service auto-*  
18 *mated facility management software system, and com-*  
19 *prehensive facility condition assessments; of which not less*  
20 *than \$9,000,000 is for reimbursement of the United States*  
21 *Geological Survey for conduct of National Park Service nat-*  
22 *ural resource challenge activities; and of which \$2,000,000*  
23 *is for the Youth Conservation Corps for high priority*  
24 *projects: Provided, That the only funds in this account*  
25 *which may be made available to support United States*

1 *Park Police are those funds approved for emergency law*  
2 *and order incidents pursuant to established National Park*  
3 *Service procedures, those funds needed to maintain and re-*  
4 *pair United States Park Police administrative facilities,*  
5 *and those funds necessary to reimburse the United States*  
6 *Park Police account for the unbudgeted overtime and travel*  
7 *costs associated with special events for an amount not to*  
8 *exceed \$10,000 per event subject to the review and concur-*  
9 *rence of the Washington headquarters office.*

10 *UNITED STATES PARK POLICE*

11 *For expenses necessary to carry out the programs of*  
12 *the United States Park Police, \$78,431,000.*

13 *NATIONAL RECREATION AND PRESERVATION*

14 *For expenses necessary to carry out recreation pro-*  
15 *grams, natural programs, cultural programs, heritage part-*  
16 *nership programs, environmental compliance and review,*  
17 *international park affairs, statutory or contractual aid for*  
18 *other activities, and grant administration, not otherwise*  
19 *provided for, \$62,978,000.*

20 *URBAN PARK AND RECREATION FUND*

21 *For expenses necessary to carry out the provisions of*  
22 *the Urban Park and Recreation Recovery Act of 1978 (16*  
23 *U.S.C. 2501 et seq.), \$10,000,000, to remain available until*  
24 *expended.*





1 *the State of Florida for the acquisition of lands or waters,*  
2 *or interests therein, within the Everglades watershed (con-*  
3 *sisting of lands and waters within the boundaries of the*  
4 *South Florida Water Management District, Florida Bay*  
5 *and the Florida Keys, including the areas known as the*  
6 *Frog Pond, the Rocky Glades and the Eight and One-Half*  
7 *Square Mile Area) under terms and conditions deemed nec-*  
8 *essary by the Secretary to improve and restore the*  
9 *hydrological function of the Everglades watershed: Provided*  
10 *further, That funds provided under this heading for assist-*  
11 *ance to the State of Florida to acquire lands within the*  
12 *Everglades watershed are contingent upon new matching*  
13 *non-Federal funds by the State, or are matched by the State*  
14 *pursuant to the cost-sharing provisions of section 316(b) of*  
15 *Public Law 104–303, and shall be subject to an agreement*  
16 *that the lands to be acquired will be managed in perpetuity*  
17 *for the restoration of the Everglades: Provided further, That*  
18 *none of the funds provided for the State Assistance program*  
19 *may be used to establish a contingency fund.*

20 *ADMINISTRATIVE PROVISIONS*

21 *Appropriations for the National Park Service shall be*  
22 *available for the purchase of not to exceed 301 passenger*  
23 *motor vehicles, of which 273 shall be for replacement only,*  
24 *including not to exceed 226 for police-type use, 10 buses,*  
25 *and 8 ambulances: Provided, That none of the funds appro-*  
26 *priated to the National Park Service may be used to process*

1 *any grant or contract documents which do not include the*  
2 *text of 18 U.S.C. 1913: Provided further, That none of the*  
3 *funds appropriated to the National Park Service may be*  
4 *used to implement an agreement for the redevelopment of*  
5 *the southern end of Ellis Island until such agreement has*  
6 *been submitted to the Congress and shall not be imple-*  
7 *mented prior to the expiration of 30 calendar days (not*  
8 *including any day in which either House of Congress is*  
9 *not in session because of adjournment of more than 3 cal-*  
10 *endar days to a day certain) from the receipt by the Speak-*  
11 *er of the House of Representatives and the President of the*  
12 *Senate of a full and comprehensive report on the develop-*  
13 *ment of the southern end of Ellis Island, including the facts*  
14 *and circumstances relied upon in support of the proposed*  
15 *project.*

16 *The National Park Service may distribute to operating*  
17 *units based on the safety record of each unit the costs of*  
18 *programs designed to improve workplace and employee safe-*  
19 *ty, and to encourage employees receiving workers' com-*  
20 *pensation benefits pursuant to chapter 81 of title 5, United*  
21 *States Code, to return to appropriate positions for which*  
22 *they are medically able.*

23 *Notwithstanding any other provision of law, in fiscal*  
24 *year 2003 and thereafter, sums provided to the National*  
25 *Park Service by private entities for utility services shall*

1 *be credited to the appropriate account and remain available*  
2 *until expended: Provided, That heretofore and hereafter, in*  
3 *carrying out the work under reimbursable agreements with*  
4 *any State, local or tribal government, the National Park*  
5 *Service may, without regard to 31 U.S.C. 1341 or any other*  
6 *provision of law or regulation, record obligations against*  
7 *accounts receivable from such entities, and shall credit*  
8 *amounts received from such entities to the appropriate ac-*  
9 *count, such credit to occur within 90 days of the date of*  
10 *the original request by the National Park Service for pay-*  
11 *ment.*

12 *UNITED STATES GEOLOGICAL SURVEY*

13 *SURVEYS, INVESTIGATIONS, AND RESEARCH*

14 *For expenses necessary for the United States Geological*  
15 *Survey to perform surveys, investigations, and research cov-*  
16 *ering topography, geology, hydrology, biology, and the min-*  
17 *eral and water resources of the United States, its territories*  
18 *and possessions, and other areas as authorized by 43 U.S.C.*  
19 *31, 1332, and 1340; classify lands as to their mineral and*  
20 *water resources; give engineering supervision to power per-*  
21 *mittees and Federal Energy Regulatory Commission licens-*  
22 *ees; administer the minerals exploration program (30*  
23 *U.S.C. 641); and publish and disseminate data relative to*  
24 *the foregoing activities; and to conduct inquiries into the*  
25 *economic conditions affecting mining and materials proc-*

1 *essing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C.*  
2 *98g(1)) and related purposes as authorized by law and to*  
3 *publish and disseminate data; \$914,617,000, of which*  
4 *\$64,974,000 shall be available only for cooperation with*  
5 *States or municipalities for water resources investigations;*  
6 *and of which \$15,499,000 shall remain available until ex-*  
7 *pended for conducting inquiries into the economic condi-*  
8 *tions affecting mining and materials processing industries;*  
9 *and of which \$8,000,000 shall remain available until ex-*  
10 *pended for satellite operations; and of which \$22,623,000*  
11 *shall be available until September 30, 2004, for the oper-*  
12 *ation and maintenance of facilities and deferred mainte-*  
13 *nance; and of which \$166,927,000 shall be available until*  
14 *September 30, 2004, for the biological research activity and*  
15 *the operation of the Cooperative Research Units; and of*  
16 *which \$4,000,000 shall remain available until expended for*  
17 *interagency research, planning, monitoring, and assess-*  
18 *ment, for everglades restoration; and with the funds pro-*  
19 *vided in this title, the Secretary shall release a plan for*  
20 *assisting States, Federal agencies and tribes in managing*  
21 *chronic wasting disease in wild and captive cervids within*  
22 *90 days of enactment of this Act: Provided, That none of*  
23 *these funds provided for the biological research activity shall*  
24 *be used to conduct new surveys on private property, unless*  
25 *specifically authorized in writing by the property owner:*



1 *Provided further, That no part of this appropriation shall*  
2 *be used to pay more than one-half the cost of topographic*  
3 *mapping or water resources data collection and investiga-*  
4 *tions carried on in cooperation with States and municipali-*  
5 *ties.*

6 *ADMINISTRATIVE PROVISION*

7 *The amount appropriated for the United States Geo-*  
8 *logical Survey shall be available for the purchase of not to*  
9 *exceed 53 passenger motor vehicles, of which 48 are for re-*  
10 *placement only; reimbursement to the General Services Ad-*  
11 *ministration for security guard services; contracting for the*  
12 *furnishing of topographic maps and for the making of geo-*  
13 *physical or other specialized surveys when it is administra-*  
14 *tively determined that such procedures are in the public in-*  
15 *terest; construction and maintenance of necessary buildings*  
16 *and appurtenant facilities; acquisition of lands for gauging*  
17 *stations and observation wells; expenses of the United States*  
18 *National Committee on Geology; and payment of compensa-*  
19 *tion and expenses of persons on the rolls of the Survey duly*  
20 *appointed to represent the United States in the negotiation*  
21 *and administration of interstate compacts: Provided, That*  
22 *activities funded by appropriations herein made may be ac-*  
23 *complished through the use of contracts, grants, or coopera-*  
24 *tive agreements as defined in 31 U.S.C. 6302 et seq.*

*MINERALS MANAGEMENT SERVICE**ROYALTY AND OFFSHORE MINERALS MANAGEMENT*

*For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, \$164,322,000, of which \$83,284,000, shall be available for royalty management activities; and an amount not to exceed \$100,230,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent \$100,230,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$100,230,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August*

1 5, 1993: *Provided further, That \$3,000,000 for computer ac-*  
2 *quisitions shall remain available until September 30, 2004:*  
3 *Provided further, That funds appropriated under this Act*  
4 *shall be available for the payment of interest in accordance*  
5 *with 30 U.S.C. 1721(b) and (d): Provided further, That not*  
6 *to exceed \$3,000 shall be available for reasonable expenses*  
7 *related to promoting volunteer beach and marine cleanup*  
8 *activities: Provided further, That notwithstanding any*  
9 *other provision of law, \$15,000 under this heading shall be*  
10 *available for refunds of overpayments in connection with*  
11 *certain Indian leases in which the Director of the Minerals*  
12 *Management Service (MMS) concurred with the claimed re-*  
13 *fund due, to pay amounts owed to Indian allottees or tribes,*  
14 *or to correct prior unrecoverable erroneous payments: Pro-*  
15 *vided further, That MMS may under the royalty-in-kind*  
16 *pilot program, or under its authority to transfer oil to the*  
17 *Strategic Petroleum Reserve, use a portion of the revenues*  
18 *from royalty-in-kind sales, without regard to fiscal year*  
19 *limitation, to pay for transportation to wholesale market*  
20 *centers or upstream pooling points, to process or otherwise*  
21 *dispose of royalty production taken in kind, and to recover*  
22 *MMS transportation costs, salaries, and other administra-*  
23 *tive costs directly related to filling the Strategic Petroleum*  
24 *Reserve: Provided further, That MMS shall analyze and*  
25 *document the expected return in advance of any royalty-*

1 *in-kind sales to assure to the maximum extent practicable*  
 2 *that royalty income under the pilot program is equal to*  
 3 *or greater than royalty income recognized under a com-*  
 4 *parable royalty-in-value program.*

5 *OIL SPILL RESEARCH*

6 *For necessary expenses to carry out title I, section*  
 7 *1016, title IV, sections 4202 and 4303, title VII, and title*  
 8 *VIII, section 8201 of the Oil Pollution Act of 1990,*  
 9 *\$6,105,000, which shall be derived from the Oil Spill Liabil-*  
 10 *ity Trust Fund, to remain available until expended.*

11 *OFFICE OF SURFACE MINING RECLAMATION AND*

12 *ENFORCEMENT*

13 *REGULATION AND TECHNOLOGY*

14 *For necessary expenses to carry out the provisions of*  
 15 *the Surface Mining Control and Reclamation Act of 1977,*  
 16 *Public Law 95–87, as amended, including the purchase of*  
 17 *not to exceed 10 passenger motor vehicles, for replacement*  
 18 *only; \$105,092,000: Provided, That the Secretary of the In-*  
 19 *terior, pursuant to regulations, may use directly or through*  
 20 *grants to States, moneys collected in fiscal year 2003 for*  
 21 *civil penalties assessed under section 518 of the Surface*  
 22 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*  
 23 *1268), to reclaim lands adversely affected by coal mining*  
 24 *practices after August 3, 1977, to remain available until*  
 25 *expended: Provided further, That appropriations for the Of-*  
 26 *fice of Surface Mining Reclamation and Enforcement may*

1 *provide for the travel and per diem expenses of State and*  
2 *tribal personnel attending Office of Surface Mining Rec-*  
3 *lamation and Enforcement sponsored training.*

4 *ABANDONED MINE RECLAMATION FUND*

5 *For necessary expenses to carry out title IV of the Sur-*  
6 *face Mining Control and Reclamation Act of 1977, Public*  
7 *Law 95–87, as amended, including the purchase of not more*  
8 *than 10 passenger motor vehicles for replacement only,*  
9 *\$191,745,000, to be derived from receipts of the Abandoned*  
10 *Mine Reclamation Fund and to remain available until ex-*  
11 *pended; of which up to \$10,000,000, to be derived from the*  
12 *Federal Expenses Share of the Fund, shall be for supple-*  
13 *mental grants to States for the reclamation of abandoned*  
14 *sites with acid mine rock drainage from coal mines, and*  
15 *for associated activities, through the Appalachian Clean*  
16 *Streams Initiative: Provided, That grants to minimum pro-*  
17 *gram States will be \$1,500,000 per State in fiscal year*  
18 *2003: Provided further, That of the funds herein provided*  
19 *up to \$18,000,000 may be used for the emergency program*  
20 *authorized by section 410 of Public Law 95–87, as amend-*  
21 *ed, of which no more than 25 percent shall be used for emer-*  
22 *gency reclamation projects in any one State and funds for*  
23 *federally administered emergency reclamation projects*  
24 *under this proviso shall not exceed \$11,000,000: Provided*  
25 *further, That prior year unobligated funds appropriated for*  
26 *the emergency reclamation program shall not be subject to*

1 *the 25 percent limitation per State and may be used with-*  
2 *out fiscal year limitation for emergency projects: Provided*  
3 *further, That pursuant to Public Law 97-365, the Depart-*  
4 *ment of the Interior is authorized to use up to 20 percent*  
5 *from the recovery of the delinquent debt owed to the United*  
6 *States Government to pay for contracts to collect these debts:*  
7 *Provided further, That funds made available under title IV*  
8 *of Public Law 95-87 may be used for any required non-*  
9 *Federal share of the cost of projects funded by the Federal*  
10 *Government for the purpose of environmental restoration*  
11 *related to treatment or abatement of acid mine drainage*  
12 *from abandoned mines: Provided further, That such projects*  
13 *must be consistent with the purposes and priorities of the*  
14 *Surface Mining Control and Reclamation Act: Provided*  
15 *further, That the State of Maryland may set aside the great-*  
16 *er of \$1,000,000 or 10 percent of the total of the grants*  
17 *made available to the State under title IV of the Surface*  
18 *Mining Control and Reclamation Act of 1977, as amended*  
19 *(30 U.S.C. 1231 et seq.), if the amount set aside is deposited*  
20 *in an acid mine drainage abatement and treatment fund*  
21 *established under a State law, pursuant to which law the*  
22 *amount (together with all interest earned on the amount)*  
23 *is expended by the State to undertake acid mine drainage*  
24 *abatement and treatment projects, except that before any*  
25 *amounts greater than 10 percent of its title IV grants are*

1 *deposited in an acid mine drainage abatement and treat-*  
2 *ment fund, the State of Maryland must first complete all*  
3 *Surface Mining Control and Reclamation Act priority one*  
4 *projects.*

5 *BUREAU OF INDIAN AFFAIRS*

6 *OPERATION OF INDIAN PROGRAMS*

7 *For expenses necessary for the operation of Indian pro-*  
8 *grams, as authorized by law, including the Snyder Act of*  
9 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*  
10 *mination and Education Assistance Act of 1975 (25 U.S.C.*  
11 *450 et seq.), as amended, the Education Amendments of*  
12 *1978 (25 U.S.C. 2001–2019), and the Tribally Controlled*  
13 *Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended,*  
14 *\$1,855,635,000, to remain available until September 30,*  
15 *2004 except as otherwise provided herein, of which not to*  
16 *exceed \$85,857,000 shall be for welfare assistance payments*  
17 *and notwithstanding any other provision of law, including*  
18 *but not limited to the Indian Self-Determination Act of*  
19 *1975, as amended, not to exceed \$133,209,000 shall be*  
20 *available for payments to tribes and tribal organizations*  
21 *for contract support costs associated with ongoing contracts,*  
22 *grants, compacts, or annual funding agreements entered*  
23 *into with the Bureau prior to or during fiscal year 2003,*  
24 *as authorized by such Act, except that tribes and tribal or-*  
25 *ganizations may use their tribal priority allocations for*

1 *unmet indirect costs of ongoing contracts, grants, or com-*  
2 *pacts, or annual funding agreements and for unmet welfare*  
3 *assistance costs; and up to \$2,000,000 shall be for the In-*  
4 *dian Self-Determination Fund which shall be available for*  
5 *the transitional cost of initial or expanded tribal contracts,*  
6 *grants, compacts or cooperative agreements with the Bureau*  
7 *under such Act; and of which not to exceed \$442,985,000*  
8 *for school operations costs of Bureau-funded schools and*  
9 *other education programs shall become available on July*  
10 *1, 2003, and shall remain available until September 30,*  
11 *2004; and of which not to exceed \$57,686,000 shall remain*  
12 *available until expended for housing improvement, road*  
13 *maintenance, attorney fees, litigation support, the Indian*  
14 *Self-Determination Fund, land records improvement, and*  
15 *the Navajo-Hopi Settlement Program: Provided, That not-*  
16 *withstanding any other provision of law, including but not*  
17 *limited to the Indian Self-Determination Act of 1975, as*  
18 *amended, and 25 U.S.C. 2008, not to exceed \$43,065,000*  
19 *within and only from such amounts made available for*  
20 *school operations shall be available to tribes and tribal or-*  
21 *ganizations for administrative cost grants associated with*  
22 *the operation of Bureau-funded schools: Provided further,*  
23 *That any forestry funds allocated to a tribe which remain*  
24 *unobligated as of September 30, 2004, may be transferred*  
25 *during fiscal year 2005 to an Indian forest land assistance*



1 *account established for the benefit of such tribe within the*  
2 *tribe's trust fund account: Provided further, That any such*  
3 *unobligated balances not so transferred shall expire on Sep-*  
4 *tember 30, 2005.*

5 *CONSTRUCTION*

6 *For construction, repair, improvement, and mainte-*  
7 *nance of irrigation and power systems, buildings, utilities,*  
8 *and other facilities, including architectural and engineering*  
9 *services by contract; acquisition of lands, and interests in*  
10 *lands; and preparation of lands for farming, and for con-*  
11 *struction of the Navajo Indian Irrigation Project pursuant*  
12 *to Public Law 87-483, \$348,252,000, to remain available*  
13 *until expended: Provided, That such amounts as may be*  
14 *available for the construction of the Navajo Indian Irriga-*  
15 *tion Project may be transferred to the Bureau of Reclama-*  
16 *tion: Provided further, That not to exceed 6 percent of con-*  
17 *tract authority available to the Bureau of Indian Affairs*  
18 *from the Federal Highway Trust Fund may be used to cover*  
19 *the road program management costs of the Bureau: Pro-*  
20 *vided further, That any funds provided for the Safety of*  
21 *Dams program pursuant to 25 U.S.C. 13 shall be made*  
22 *available on a nonreimbursable basis: Provided further,*  
23 *That for fiscal year 2003, in implementing new construc-*  
24 *tion or facilities improvement and repair project grants in*  
25 *excess of \$100,000 that are provided to tribally controlled*  
26 *grant schools under Public Law 100-297, as amended, the*

1 *Secretary of the Interior shall use the Administrative and*  
2 *Audit Requirements and Cost Principles for Assistance Pro-*  
3 *grams contained in 43 CFR part 12 as the regulatory re-*  
4 *quirements: Provided further, That such grants shall not*  
5 *be subject to section 12.61 of 43 CFR; the Secretary and*  
6 *the grantee shall negotiate and determine a schedule of pay-*  
7 *ments for the work to be performed: Provided further, That*  
8 *in considering applications, the Secretary shall consider*  
9 *whether the Indian tribe or tribal organization would be*  
10 *deficient in assuring that the construction projects conform*  
11 *to applicable building standards and codes and Federal,*  
12 *tribal, or State health and safety standards as required by*  
13 *25 U.S.C. 2005(a), with respect to organizational and fi-*  
14 *nancial management capabilities: Provided further, That if*  
15 *the Secretary declines an application, the Secretary shall*  
16 *follow the requirements contained in 25 U.S.C. 2505(f):*  
17 *Provided further, That any disputes between the Secretary*  
18 *and any grantee concerning a grant shall be subject to the*  
19 *disputes provision in 25 U.S.C. 2508(e).*

20 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*  
21 *MISCELLANEOUS PAYMENTS TO INDIANS*

22 *For miscellaneous payments to Indian tribes and indi-*  
23 *viduals and for necessary administrative expenses,*  
24 *\$57,949,000, to remain available until expended; of which*  
25 *\$24,870,000 shall be available for implementation of en-*  
26 *acted Indian land and water claim settlements pursuant*

1 *to Public Laws 101–618 and 102–575, and for implementa-*  
 2 *tion of other enacted water rights settlements; of which*  
 3 *\$5,068,000 shall be available for future water supplies fa-*  
 4 *cilities under Public Law 106–163; and of which*  
 5 *\$28,011,000 shall be available pursuant to Public Laws 99–*  
 6 *264, 100–580, 106–263, 106–425 and 106–554.*

7 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

8 *For the cost of guaranteed and insured loans,*  
 9 *\$5,000,000, as authorized by the Indian Financing Act of*  
 10 *1974, as amended: Provided, That such costs, including the*  
 11 *cost of modifying such loans, shall be as defined in section*  
 12 *502 of the Congressional Budget Act of 1974: Provided fur-*  
 13 *ther, That these funds are available to subsidize total loan*  
 14 *principal, any part of which is to be guaranteed, not to*  
 15 *exceed \$72,464,000.*

16 *In addition, for administrative expenses to carry out*  
 17 *the guaranteed and insured loan programs, \$493,000.*

18 *ADMINISTRATIVE PROVISIONS*

19 *The Bureau of Indian Affairs may carry out the oper-*  
 20 *ation of Indian programs by direct expenditure, contracts,*  
 21 *cooperative agreements, compacts and grants, either di-*  
 22 *rectly or in cooperation with States and other organiza-*  
 23 *tions.*

24 *Appropriations for the Bureau of Indian Affairs (ex-*  
 25 *cept the revolving fund for loans, the Indian loan guarantee*  
 26 *and insurance fund, and the Indian Guaranteed Loan Pro-*

1 gram account) shall be available for expenses of exhibits,  
2 and purchase of not to exceed 229 passenger motor vehicles,  
3 of which not to exceed 187 shall be for replacement only.

4       Notwithstanding any other provision of law, no funds  
5 available to the Bureau of Indian Affairs for central office  
6 operations, pooled overhead general administration (except  
7 facilities operations and maintenance), or provided to im-  
8 plement the recommendations of the National Academy of  
9 Public Administration's August 1999 report shall be avail-  
10 able for tribal contracts, grants, compacts, or cooperative  
11 agreements with the Bureau of Indian Affairs under the  
12 provisions of the Indian Self-Determination Act or the  
13 Tribal Self-Governance Act of 1994 (Public Law 103-413).

14       In the event any tribe returns appropriations made  
15 available by this Act to the Bureau of Indian Affairs for  
16 distribution to other tribes, this action shall not diminish  
17 the Federal Government's trust responsibility to that tribe,  
18 or the government-to-government relationship between the  
19 United States and that tribe, or that tribe's ability to access  
20 future appropriations.

21       Notwithstanding any other provision of law, no funds  
22 available to the Bureau, other than the amounts provided  
23 herein for assistance to public schools under 25 U.S.C. 452  
24 et seq., shall be available to support the operation of any  
25 elementary or secondary school in the State of Alaska.

1        *Appropriations made available in this or any other*  
2 *Act for schools funded by the Bureau shall be available only*  
3 *to the schools in the Bureau school system as of September*  
4 *1, 1996. No funds available to the Bureau shall be used to*  
5 *support expanded grades for any school or dormitory be-*  
6 *yond the grade structure in place or approved by the Sec-*  
7 *retary of the Interior at each school in the Bureau school*  
8 *system as of October 1, 1995. Funds made available under*  
9 *this Act may not be used to establish a charter school at*  
10 *a Bureau-funded school (as that term is defined in section*  
11 *1146 of the Education Amendments of 1978 (25 U.S.C.*  
12 *2026)), except that a charter school that is in existence on*  
13 *the date of the enactment of this Act and that has operated*  
14 *at a Bureau-funded school before September 1, 1999, may*  
15 *continue to operate during that period, but only if the char-*  
16 *ter school pays to the Bureau a pro rata share of funds*  
17 *to reimburse the Bureau for the use of the real and personal*  
18 *property (including buses and vans), the funds of the char-*  
19 *ter school are kept separate and apart from Bureau funds,*  
20 *and the Bureau does not assume any obligation for charter*  
21 *school programs of the State in which the school is located*  
22 *if the charter school loses such funding. Employees of Bu-*  
23 *reau-funded schools sharing a campus with a charter school*  
24 *and performing functions related to the charter school's op-*  
25 *eration and employees of a charter school shall not be treat-*

1 *ed as Federal employees for purposes of chapter 171 of title*  
2 *28, United States Code (commonly known as the “Federal*  
3 *Tort Claims Act”).*

4 *DEPARTMENTAL OFFICES*

5 *INSULAR AFFAIRS*

6 *ASSISTANCE TO TERRITORIES*

7 *For expenses necessary for assistance to territories*  
8 *under the jurisdiction of the Department of the Interior,*  
9 *\$75,217,000, of which: (1) \$70,102,000 shall be available*  
10 *until expended for technical assistance, including mainte-*  
11 *nance assistance, disaster assistance, insular management*  
12 *controls, coral reef initiative activities, and brown tree*  
13 *snake control and research; grants to the judiciary in Amer-*  
14 *ican Samoa for compensation and expenses, as authorized*  
15 *by law (48 U.S.C. 1661(c)); grants to the Government of*  
16 *American Samoa, in addition to current local revenues, for*  
17 *construction and support of governmental functions; grants*  
18 *to the Government of the Virgin Islands as authorized by*  
19 *law; grants to the Government of Guam, as authorized by*  
20 *law; and grants to the Government of the Northern Mariana*  
21 *Islands as authorized by law (Public Law 94–241; 90 Stat.*  
22 *272); and (2) \$5,295,000 shall be available for salaries and*  
23 *expenses of the Office of Insular Affairs: Provided, That all*  
24 *financial transactions of the territorial and local govern-*  
25 *ments herein provided for, including such transactions of*

1 *all agencies or instrumentalities established or used by such*  
2 *governments, may be audited by the General Accounting Of-*  
3 *fice, at its discretion, in accordance with chapter 35 of title*  
4 *31, United States Code: Provided further, That Northern*  
5 *Mariana Islands Covenant grant funding shall be provided*  
6 *according to those terms of the Agreement of the Special*  
7 *Representatives on Future United States Financial Assist-*  
8 *ance for the Northern Mariana Islands approved by Public*  
9 *Law 104–134: Provided further, That of the amounts pro-*  
10 *vided for technical assistance, sufficient funding shall be*  
11 *made available for a grant to the Close Up Foundation:*  
12 *Provided further, That the funds for the program of oper-*  
13 *ations and maintenance improvement are appropriated to*  
14 *institutionalize routine operations and maintenance im-*  
15 *provement of capital infrastructure with territorial partici-*  
16 *pation and cost sharing to be determined by the Secretary*  
17 *based on the grantee’s commitment to timely maintenance*  
18 *of its capital assets: Provided further, That any appropria-*  
19 *tion for disaster assistance under this heading in this Act*  
20 *or previous appropriations Acts may be used as non-Fed-*  
21 *eral matching funds for the purpose of hazard mitigation*  
22 *grants provided pursuant to section 404 of the Robert T.*  
23 *Stafford Disaster Relief and Emergency Assistance Act (42*  
24 *U.S.C. 5170c).*

1                                    *COMPACT OF FREE ASSOCIATION*

2            *For economic assistance and necessary expenses for the*  
3 *Federated States of Micronesia and the Republic of the Mar-*  
4 *shall Islands as provided for in sections 122, 221, 223, 232,*  
5 *and 233 of the Compact of Free Association, and for eco-*  
6 *nomie assistance and necessary expenses for the Republic*  
7 *of Palau as provided for in sections 122, 221, 223, 232,*  
8 *and 233 of the Compact of Free Association, \$20,925,000,*  
9 *to remain available until expended, as authorized by Public*  
10 *Law 99–239 and Public Law 99–658.*

11                                    *DEPARTMENTAL MANAGEMENT*12                                    *SALARIES AND EXPENSES*

13            *For necessary expenses for management of the Depart-*  
14 *ment of the Interior, \$72,427,000, of which not to exceed*  
15 *\$8,500 may be for official reception and representation ex-*  
16 *penses, and of which up to \$1,000,000 shall be available*  
17 *for workers compensation payments and unemployment*  
18 *compensation payments associated with the orderly closure*  
19 *of the United States Bureau of Mines.*

20                                    *OFFICE OF THE SOLICITOR*21                                    *SALARIES AND EXPENSES*

22            *For necessary expenses of the Office of the Solicitor,*  
23 *\$47,773,000.*



1                    *OFFICE OF INSPECTOR GENERAL*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the Office of Inspector Gen-*  
4 *eral, \$36,239,000, of which \$3,812,000 shall be for procure-*  
5 *ment by contract of independent auditing services to audit*  
6 *the consolidated Department of the Interior annual finan-*  
7 *cial statement and the annual financial statement of the*  
8 *Department of the Interior bureaus and offices funded in*  
9 *this Act.*

10            *OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS*11                    *FEDERAL TRUST PROGRAMS*

12            *For operation of trust programs for Indians by direct*  
13 *expenditure, contracts, cooperative agreements, compacts,*  
14 *and grants, \$151,027,000, to remain available until ex-*  
15 *pended: Provided, That funds for trust management im-*  
16 *provements may be transferred, as needed, to the Bureau*  
17 *of Indian Affairs "Operation of Indian Programs" account*  
18 *and to the Departmental Management "Salaries and Ex-*  
19 *penses" account: Provided further, That funds made avail-*  
20 *able to Tribes and Tribal organizations through contracts*  
21 *or grants obligated during fiscal year 2003, as authorized*  
22 *by the Indian Self-Determination Act of 1975 (25 U.S.C.*  
23 *450 et seq.), shall remain available until expended by the*  
24 *contractor or grantee: Provided further, That notwith-*  
25 *standing any other provision of law, the statute of limita-*

1 tions shall not commence to run on any claim, including  
2 any claim in litigation pending on the date of the enact-  
3 ment of this Act, concerning losses to or mismanagement  
4 of trust funds, until the affected tribe or individual Indian  
5 has been furnished with an accounting of such funds from  
6 which the beneficiary can determine whether there has been  
7 a loss: Provided further, That notwithstanding any other  
8 provision of law, the Secretary shall not be required to pro-  
9 vide a quarterly statement of performance for any Indian  
10 trust account that has not had activity for at least 18  
11 months and has a balance of \$1.00 or less: Provided further,  
12 That the Secretary shall issue an annual account statement  
13 and maintain a record of any such accounts and shall per-  
14 mit the balance in each such account to be withdrawn upon  
15 the express written request of the account holder: Provided  
16 further, That not to exceed \$50,000 is available for the Sec-  
17 retary to make payments to correct administrative errors  
18 of either disbursements from or deposits to Individual In-  
19 dian Money or Tribal accounts after September 30, 2002:  
20 Provided further, That erroneous payments that are recov-  
21 ered shall be credited to this account.

22 *INDIAN LAND CONSOLIDATION*

23 *For consolidation of fractional interests in Indian*  
24 *lands and expenses associated with redetermining and re-*  
25 *distributing escheated interests in allotted lands, and for*  
26 *necessary expenses to carry out the Indian Land Consolida-*

1 *tion Act of 1983, as amended, by direct expenditure or coop-*  
 2 *erative agreement, \$7,980,000, to remain available until ex-*  
 3 *pended and which may be transferred to the Bureau of In-*  
 4 *dian Affairs and Departmental Management.*

5 *For implementation of a water rights and habitat ac-*  
 6 *quisition program pursuant to section 10 of Public Law*  
 7 *106–263, \$3,000,000, to remain available until expended*  
 8 *and to be derived from the Land and Water Conservation*  
 9 *Fund: Provided, That these funds may be available for*  
 10 *transfer to the Bureau of Indian Affairs.*

11 *NATURAL RESOURCE DAMAGE ASSESSMENT AND*

12 *RESTORATION*

13 *NATURAL RESOURCE DAMAGE ASSESSMENT FUND*

14 *To conduct natural resource damage assessment and*  
 15 *restoration activities by the Department of the Interior nec-*  
 16 *essary to carry out the provisions of the Comprehensive En-*  
 17 *vironmental Response, Compensation, and Liability Act, as*  
 18 *amended (42 U.S.C. 9601 et seq.), Federal Water Pollution*  
 19 *Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil*  
 20 *Pollution Act of 1990 (Public Law 101–380) (33 U.S.C.*  
 21 *2701 et seq.), and Public Law 101–337, as amended (16*  
 22 *U.S.C. 19jj et seq.), \$5,538,000, to remain available until*  
 23 *expended.*

24 *ADMINISTRATIVE PROVISIONS*

25 *There is hereby authorized for acquisition from avail-*  
 26 *able resources within the Working Capital Fund, 15 air-*

1 *craft, 10 of which shall be for replacement and which may*  
2 *be obtained by donation, purchase or through available ex-*  
3 *cess surplus property: Provided, That notwithstanding any*  
4 *other provision of law, existing aircraft being replaced may*  
5 *be sold, with proceeds derived or trade-in value used to offset*  
6 *the purchase price for the replacement aircraft: Provided*  
7 *further, That notwithstanding any other provision of law,*  
8 *the Office of Aircraft Services shall transfer to the Sheriff's*  
9 *Office, Kane County, Utah, without restriction, a Cessna*  
10 *U206G, identification number N211S, serial number*  
11 *20606916, for the purpose of facilitating more efficient law*  
12 *enforcement activities at Glen Canyon National Recreation*  
13 *Area and the Grand Staircase Escalante National Monu-*  
14 *ment: Provided further, That no programs funded with ap-*  
15 *propriated funds in the "Departmental Management", "Of-*  
16 *fice of the Solicitor", and "Office of Inspector General" may*  
17 *be augmented through the Working Capital Fund or the*  
18 *Consolidated Working Fund.*

19 *GENERAL PROVISIONS, DEPARTMENT OF THE*  
20 *INTERIOR*

21 *SEC. 101. Appropriations made in this title shall be*  
22 *available for expenditure or transfer (within each bureau*  
23 *or office), with the approval of the Secretary, for the emer-*  
24 *gency reconstruction, replacement, or repair of aircraft,*  
25 *buildings, utilities, or other facilities or equipment dam-*

1 *aged or destroyed by fire, flood, storm, or other unavoidable*  
2 *causes: Provided, That no funds shall be made available*  
3 *under this authority until funds specifically made available*  
4 *to the Department of the Interior for emergencies shall have*  
5 *been exhausted: Provided further, That all funds used pur-*  
6 *suant to this section are hereby designated by Congress to*  
7 *be “emergency requirements” pursuant to section*  
8 *251(b)(2)(A) of the Balanced Budget and Emergency Def-*  
9 *icit Control Act of 1985, and must be replenished by a sup-*  
10 *plemental appropriation which must be requested as*  
11 *promptly as possible.*

12 *SEC. 102. The Secretary may authorize the expendi-*  
13 *ture or transfer of any no year appropriation in this title,*  
14 *in addition to the amounts included in the budget programs*  
15 *of the several agencies, for the suppression or emergency*  
16 *prevention of wildland fires on or threatening lands under*  
17 *the jurisdiction of the Department of the Interior; for the*  
18 *emergency rehabilitation of burned-over lands under its ju-*  
19 *risdiction; for emergency actions related to potential or ac-*  
20 *tual earthquakes, floods, volcanoes, storms, or other un-*  
21 *avoidable causes; for contingency planning subsequent to*  
22 *actual oil spills; for response and natural resource damage*  
23 *assessment activities related to actual oil spills; for the pre-*  
24 *vention, suppression, and control of actual or potential*  
25 *grasshopper and Mormon cricket outbreaks on lands under*

1 *the jurisdiction of the Secretary, pursuant to the authority*  
2 *in section 1773(b) of Public Law 99–198 (99 Stat. 1658);*  
3 *for emergency reclamation projects under section 410 of*  
4 *Public Law 95–87; and shall transfer, from any no year*  
5 *funds available to the Office of Surface Mining Reclamation*  
6 *and Enforcement, such funds as may be necessary to permit*  
7 *assumption of regulatory authority in the event a primacy*  
8 *State is not carrying out the regulatory provisions of the*  
9 *Surface Mining Act: Provided, That appropriations made*  
10 *in this title for wildland fire operations shall be available*  
11 *for the payment of obligations incurred during the pre-*  
12 *ceding fiscal year, and for reimbursement to other Federal*  
13 *agencies for destruction of vehicles, aircraft, or other equip-*  
14 *ment in connection with their use for wildland fire oper-*  
15 *ations, such reimbursement to be credited to appropriations*  
16 *currently available at the time of receipt thereof: Provided*  
17 *further, That for wildland fire operations, no funds shall*  
18 *be made available under this authority until the Secretary*  
19 *determines that funds appropriated for “wildland fire oper-*  
20 *ations” shall be exhausted within 30 days: Provided further,*  
21 *That all funds used pursuant to this section are hereby des-*  
22 *ignated by Congress to be “emergency requirements” pursu-*  
23 *ant to section 251(b)(2)(A) of the Balanced Budget and*  
24 *Emergency Deficit Control Act of 1985, and must be replen-*  
25 *ished by a supplemental appropriation which must be re-*

1 *quested as promptly as possible: Provided further, That such*  
2 *replenishment funds shall be used to reimburse, on a pro*  
3 *rata basis, accounts from which emergency funds were*  
4 *transferred.*

5       *SEC. 103. Appropriations made in this title shall be*  
6 *available for operation of warehouses, garages, shops, and*  
7 *similar facilities, wherever consolidation of activities will*  
8 *contribute to efficiency or economy, and said appropria-*  
9 *tions shall be reimbursed for services rendered to any other*  
10 *activity in the same manner as authorized by sections 1535*  
11 *and 1536 of title 31, United States Code: Provided, That*  
12 *reimbursements for costs and supplies, materials, equip-*  
13 *ment, and for services rendered may be credited to the ap-*  
14 *propriation current at the time such reimbursements are*  
15 *received.*

16       *SEC. 104. Appropriations made to the Department of*  
17 *the Interior in this title shall be available for services as*  
18 *authorized by 5 U.S.C. 3109, when authorized by the Sec-*  
19 *retary, in total amount not to exceed \$500,000; hire, main-*  
20 *tenance, and operation of aircraft; hire of passenger motor*  
21 *vehicles; purchase of reprints; payment for telephone service*  
22 *in private residences in the field, when authorized under*  
23 *regulations approved by the Secretary; and the payment of*  
24 *dues, when authorized by the Secretary, for library member-*  
25 *ship in societies or associations which issue publications to*

1 *members only or at a price to members lower than to sub-*  
2 *scribers who are not members.*

3 *SEC. 105. Appropriations available to the Department*  
4 *of the Interior for salaries and expenses shall be available*  
5 *for uniforms or allowances therefor, as authorized by law*  
6 *(5 U.S.C. 5901–5902 and D.C. Code 4–204).*

7 *SEC. 106. Annual appropriations made in this title*  
8 *shall be available for obligation in connection with con-*  
9 *tracts issued for services or rentals for periods not in excess*  
10 *of 12 months beginning at any time during the fiscal year.*

11 *SEC. 107. No funds provided in this title may be ex-*  
12 *pended by the Department of the Interior for the conduct*  
13 *of offshore preleasing, leasing and related activities placed*  
14 *under restriction in the President’s moratorium statement*  
15 *of June 12, 1998, in the areas of northern, central, and*  
16 *southern California; the North Atlantic; Washington and*  
17 *Oregon; and the eastern Gulf of Mexico south of 26 degrees*  
18 *north latitude and east of 86 degrees west longitude.*

19 *SEC. 108. No funds provided in this title may be ex-*  
20 *pended by the Department of the Interior for the conduct*  
21 *of offshore oil and natural gas preleasing, leasing, and re-*  
22 *lated activities, on lands within the North Aleutian Basin*  
23 *planning area.*

24 *SEC. 109. No funds provided in this title may be ex-*  
25 *pended by the Department of the Interior to conduct offshore*



1 *oil and natural gas preleasing, leasing and related activi-*  
2 *ties in the eastern Gulf of Mexico planning area for any*  
3 *lands located outside Sale 181, as identified in the final*  
4 *Outer Continental Shelf 5-Year Oil and Gas Leasing Pro-*  
5 *gram, 1997–2002.*

6 *SEC. 110. No funds provided in this title may be ex-*  
7 *pende by the Department of the Interior to conduct oil and*  
8 *natural gas preleasing, leasing and related activities in the*  
9 *Mid-Atlantic and South Atlantic planning areas.*

10 *SEC. 111. Advance payments made under this title to*  
11 *Indian tribes, tribal organizations, and tribal consortia*  
12 *pursuant to the Indian Self-Determination and Education*  
13 *Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Con-*  
14 *trolled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may*  
15 *be invested by the Indian tribe, tribal organization, or con-*  
16 *sortium before such funds are expended for the purposes of*  
17 *the grant, compact, or annual funding agreement so long*  
18 *as such funds are—*

19 *(1) invested by the Indian tribe, tribal organiza-*  
20 *tion, or consortium only in obligations of the United*  
21 *States, or in obligations or securities that are guaran-*  
22 *teed or insured by the United States, or mutual (or*  
23 *other) funds registered with the Securities and Ex-*  
24 *change Commission and which only invest in obliga-*

1        *tions of the United States or securities that are guar-*  
2        *anteed or insured by the United States; or*

3            *(2) deposited only into accounts that are insured*  
4        *by an agency or instrumentality of the United States,*  
5        *or are fully collateralized to ensure protection of the*  
6        *funds, even in the event of a bank failure.*

7        *SEC. 112. Appropriations made in this Act under the*  
8        *headings Bureau of Indian Affairs and Office of the Special*  
9        *Trustee for American Indians and any available unobli-*  
10       *gated balances from prior appropriations Acts made under*  
11       *the same headings, shall be available for expenditure or*  
12       *transfer for Indian trust management activities pursuant*  
13       *to the Trust Management Improvement Project High Level*  
14       *Implementation Plan.*

15       *SEC. 113. Notwithstanding any other provision of law,*  
16       *for the purpose of reducing the backlog of Indian probate*  
17       *cases in the Department of the Interior, the hearing require-*  
18       *ments of chapter 10 of title 25, United States Code, are*  
19       *deemed satisfied by a proceeding conducted by an Indian*  
20       *probate judge, appointed by the Secretary without regard*  
21       *to the provisions of title 5, United States Code, governing*  
22       *the appointments in the competitive service, for such period*  
23       *of time as the Secretary determines necessary: Provided,*  
24       *That the basic pay of an Indian probate judge so appointed*  
25       *may be fixed by the Secretary without regard to the provi-*

1 sions of chapter 51, and subchapter III of chapter 53 of  
2 title 5, United States Code, governing the classification and  
3 pay of General Schedule employees, except that no such In-  
4 dian probate judge may be paid at a level which exceeds  
5 the maximum rate payable for the highest grade of the Gen-  
6 eral Schedule, including locality pay.

7       SEC. 114. Notwithstanding any other provision of law,  
8 the Secretary of the Interior is authorized to redistribute  
9 any Tribal Priority Allocation funds, including tribal base  
10 funds, to alleviate tribal funding inequities by transferring  
11 funds to address identified, unmet needs, dual enrollment,  
12 overlapping service areas or inaccurate distribution meth-  
13 odologies. No tribe shall receive a reduction in Tribal Pri-  
14 ority Allocation funds of more than 10 percent in fiscal  
15 year 2003. Under circumstances of dual enrollment, over-  
16 lapping service areas or inaccurate distribution methodolo-  
17 gies, the 10 percent limitation does not apply.

18       SEC. 115. Funds appropriated for the Bureau of In-  
19 dian Affairs for postsecondary schools for fiscal year 2003  
20 shall be allocated among the schools proportionate to the  
21 unmet need of the schools as determined by the Postsec-  
22 ondary Funding Formula adopted by the Office of Indian  
23 Education Programs.

24       SEC. 116. (a) The Secretary of the Interior shall take  
25 such action as may be necessary to ensure that the lands

1 *comprising the Huron Cemetery in Kansas City, Kansas*  
2 *(as described in section 123 of Public Law 106–291) are*  
3 *used only in accordance with this section.*

4 *(b) The lands of the Huron Cemetery shall be used*  
5 *only: (1) for religious and cultural uses that are compatible*  
6 *with the use of the lands as a cemetery; and (2) as a burial*  
7 *ground.*

8 *SEC. 117. Notwithstanding any other provision of law,*  
9 *in conveying the Twin Cities Research Center under the au-*  
10 *thority provided by Public Law 104–134, as amended by*  
11 *Public Law 104–208, the Secretary may accept and retain*  
12 *land and other forms of reimbursement: Provided, That the*  
13 *Secretary may retain and use any such reimbursement*  
14 *until expended and without further appropriation: (1) for*  
15 *the benefit of the National Wildlife Refuge System within*  
16 *the State of Minnesota; and (2) for all activities authorized*  
17 *by Public Law 100–696; 16 U.S.C. 460zz.*

18 *SEC. 118. Notwithstanding other provisions of law, the*  
19 *National Park Service may authorize, through cooperative*  
20 *agreement, the Golden Gate National Parks Association to*  
21 *provide fee-based education, interpretive and visitor service*  
22 *functions within the Crissy Field and Fort Point areas of*  
23 *the Presidio.*

24 *SEC. 119. Notwithstanding 31 U.S.C. 3302(b), sums*  
25 *received by the Bureau of Land Management for the sale*

1 *of seeds or seedlings including those collected in fiscal year*  
 2 *2002, may be credited to the appropriation from which*  
 3 *funds were expended to acquire or grow the seeds or seed-*  
 4 *lings and are available without fiscal year limitation.*

5       *SEC. 120. TRIBAL SCHOOL CONSTRUCTION DEM-*  
 6 *ONSTRATION PROGRAM. (a) DEFINITIONS.—In this section:*

7           (1) *CONSTRUCTION.—The term “construction”,*  
 8 *with respect to a tribally controlled school, includes*  
 9 *the construction or renovation of that school.*

10          (2) *INDIAN TRIBE.—The term “Indian tribe” has*  
 11 *the meaning given that term in section 4(e) of the In-*  
 12 *dian Self-Determination and Education Assistance*  
 13 *Act (25 U.S.C. 450b(e)).*

14          (3) *SECRETARY.—The term “Secretary” means*  
 15 *the Secretary of the Interior.*

16          (4) *TRIBALLY CONTROLLED SCHOOL.—The term*  
 17 *“tribally controlled school” has the meaning given*  
 18 *that term in section 5212 of the Tribally Controlled*  
 19 *Schools Act of 1988 (25 U.S.C. 2511).*

20          (5) *DEPARTMENT.—The term “Department”*  
 21 *means the Department of the Interior.*

22          (6) *DEMONSTRATION PROGRAM.—The term*  
 23 *“demonstration program” means the Tribal School*  
 24 *Construction Demonstration Program.*

1           **(b) IN GENERAL.**—*The Secretary shall carry out a*  
2 *demonstration program for fiscal years 2003 through 2007*  
3 *to provide grants to Indian tribes for the construction of*  
4 *tribally controlled schools.*

5           **(1) IN GENERAL.**—*Subject to the availability of*  
6 *appropriations, in carrying out the demonstration*  
7 *program under subsection (b), the Secretary shall*  
8 *award a grant to each Indian tribe that submits an*  
9 *application that is approved by the Secretary under*  
10 *paragraph (2). The Secretary shall ensure that an In-*  
11 *Indian tribe that agrees to fund all future operation*  
12 *and maintenance costs of the tribally controlled school*  
13 *constructed under the demonstration program from*  
14 *other than federal funds receives the highest priority*  
15 *for a grant under this section.*

16           **(2) GRANT APPLICATIONS.**—*An application for a*  
17 *grant under the section shall—*

18                   **(A)** *include a proposal for the construction*  
19 *of a tribally controlled school of the Indian tribe*  
20 *that submits the application; and*

21                   **(B)** *be in such form as the Secretary deter-*  
22 *mines appropriate.*

23           **(3) GRANT AGREEMENT.**—*As a condition to re-*  
24 *ceiving a grant under this section, the Indian tribe*

1       *shall enter into an agreement with the Secretary that*  
2       *specifies—*

3               *(A) the costs of construction under the*  
4               *grant;*

5               *(B) that the Indian tribe shall be required*  
6               *to contribute towards the cost of the construction*  
7               *a tribal share equal to 50 percent of the costs;*  
8               *and*

9               *(C) any other term or condition that the*  
10              *Secretary determines to be appropriate.*

11              *(4) ELIGIBILITY.—Grants awarded under the*  
12              *demonstration program shall be used only for con-*  
13              *struction or replacement of a tribally controlled*  
14              *school.*

15              *(c) EFFECT OF GRANT.—A grant received under this*  
16              *section shall be in addition to any other funds received by*  
17              *an Indian tribe under any other provision of law. The re-*  
18              *ceipt of a grant under this section shall not affect the eligi-*  
19              *bility of an Indian tribe receiving funding, or the amount*  
20              *of funding received by the Indian tribe, under the Tribally*  
21              *Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or*  
22              *the Indian Self-Determination and Education Assistance*  
23              *Act (25 U.S.C. 450 et seq.).*

24              *(d) REPORT.—At the conclusion of the five-year dem-*  
25              *onstration program, the Secretary shall report to Congress*

1 *as to whether the demonstration program has achieved its*  
2 *purposes of providing additional tribes fair opportunities*  
3 *to construct tribally controlled schools, accelerating con-*  
4 *struction of needed educational facilities in Indian Coun-*  
5 *try, and permitting additional funds to be provided for the*  
6 *Department's priority list for construction of replacement*  
7 *educational facilities.*

8       *SEC. 121. WHITE RIVER OIL SHALE MINE, UTAH.*  
9 *SALE.*—*Subject to the terms and conditions of section 126*  
10 *of the Department of the Interior and Related Agencies Act,*  
11 *2002, the Administrator of General Services shall sell all*  
12 *right, title, and interest of the United States in and to the*  
13 *improvements and equipment of the White River Oil Shale*  
14 *Mine.*

15       *SEC. 122. The Secretary of the Interior may use or*  
16 *contract for the use of helicopters or motor vehicles on the*  
17 *Sheldon and Hart National Wildlife Refuges for the purpose*  
18 *of capturing and transporting horses and burros. The provi-*  
19 *sions of subsection (a) of the Act of September 8, 1959 (73*  
20 *Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such*  
21 *use. Such use shall be in accordance with humane proce-*  
22 *dures prescribed by the Secretary.*

23       *SEC. 123. No funds contained in this Act shall be used*  
24 *to approve the transfer of lands on South Fox Island,*  
25 *Michigan until Congress has authorized such transfer.*



1        *SEC. 124. In fiscal year 2003 and each fiscal year*  
2 *thereafter, notwithstanding any other provision of law, with*  
3 *respect to a service contract for the provision solely of trans-*  
4 *portation services at Zion National Park or Rocky Moun-*  
5 *tain National Park, the Secretary of the Interior may obli-*  
6 *gate the expenditure of fees expected to be received in that*  
7 *fiscal year before the fees are received, so long as total obli-*  
8 *gations do not exceed fee collections retained at Zion Na-*  
9 *tional Park or Rocky Mountain National Park, respec-*  
10 *tively, by the end of that fiscal year.*

11        *SEC. 125. Section 6(f) of Public Law 88-578 as*  
12 *amended shall not apply to LWCF program #02-00010.*

13        *SEC. 126. None of the funds made available in this*  
14 *Act or any other Act providing appropriations for the De-*  
15 *partment of the Interior may be expended or obligated to*  
16 *issue a Record of Decision or take any action to issue a*  
17 *right-of-way grant for a pipeline or associated facilities re-*  
18 *lated to the Cadiz groundwater storage and dry-year supply*  
19 *program.*

20        *SEC. 127. Notwithstanding section 1(d) of Public Law*  
21 *107-62, the National Park Service is authorized to obligate*  
22 *\$1,000,000 made available in fiscal year 2002 to plan the*  
23 *John Adams Presidential memorial in cooperation with*  
24 *non-Federal partners.*

1        *SEC. 128. Notwithstanding any other provision of law,*  
2 *funds appropriated and remaining available in the Con-*  
3 *struction (Trust Fund) account of the National Park Serv-*  
4 *ice at the completion of all authorized projects, shall be*  
5 *available for the rehabilitation and improvement of Going-*  
6 *to-the-Sun Road in Glacier National Park.*

7        *SEC. 129. Using funds appropriated by section 501(d)*  
8 *of the Emergency Supplemental Appropriations Act, 1999*  
9 *(Public Law 106–31), the Secretary shall provide interim*  
10 *compensation payments of up to \$10,000 each within 30*  
11 *days of the date of the enactment of this Act to all claimants*  
12 *who filed a claim for compensation under the Glacier Bay*  
13 *compensation plan and which has not been rejected or with-*  
14 *drawn and have not received a compensation payment. The*  
15 *amount of final compensation paid to any such claimant*  
16 *shall be reduced by the total dollar amount of any interim*  
17 *compensation payments received.*

18        *SEC. 130. Hereafter, the Department of the Interior*  
19 *National Business Center may continue to enter into*  
20 *grants, cooperative agreements, and other transactions,*  
21 *under the Defense Conversion, Reinvestment, and Transi-*  
22 *tion Assistance Act of 1992, and other related legislation.*

23        *SEC. 131. (a) IN GENERAL.—Nothing in section 134*  
24 *of the Department of the Interior and Related Agencies Ap-*  
25 *propriations Act, 2002 (115 Stat. 443) affects the decision*

1 *of the United States Court of Appeals for the 10th Circuit*  
2 *in Sac and Fox Nation v. Norton, 240 F.3d 1250 (2001).*

3       (b) *USE OF CERTAIN INDIAN LAND.*—*Nothing in this*  
4 *section permits the conduct of gaming under the Indian*  
5 *Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on land*  
6 *described in section 123 of the Department of the Interior*  
7 *and Related Agencies Appropriations Act, 2001 (114 Stat.*  
8 *944), or land that is contiguous to that land, regardless of*  
9 *whether the land or contiguous land has been taken into*  
10 *trust by the Secretary of the Interior.*

11       *SEC. 132. Section 3(f)(2)(B) of Public Law 99–548*  
12 *(100 Stat. 3061; 113 Stat. 1501A–168) is amended by strik-*  
13 *ing “(iv) Sec. 8.” and inserting the following:*

14                               *“(iv) Sec. 7.*

15                               *“(v) Sec. 8.”.*

16       *SEC. 133. Of the funds made available under the head-*  
17 *ing “United States Fish and Wildlife Service, Construc-*  
18 *tion” in Public Law 107–63 for hangar roof replacement*  
19 *at Midway Atoll National Wildlife Refuge, not to exceed*  
20 *\$650,000 may be transferred to “United States Fish and*  
21 *Wildlife Service, Resource Management” for operational*  
22 *needs at Midway Atoll National Wildlife Refuge.*

23       *SEC. 134. Public Law 107–331 is amended in Sections*  
24 *301(b) and 301(d) by striking the word “Secretary” each*  
25 *place it appears and inserting in lieu thereof the word “Di-*

1 rector”, and by striking the text of Section 301(c)(3) and  
 2 inserting in lieu thereof “DIRECTOR.—The term ‘Director’  
 3 means the Director of the Institute of Museum and Library  
 4 Services.”.

5 SEC. 135. Section 113 of Public Law 104–208 (31  
 6 U.S.C. 501 note.) is amended by deleting “That such fund  
 7 shall be paid in advance” and inserting “That such fund  
 8 may be paid in advance”.

9 SEC. 136. HISTORICALLY BLACK COLLEGES AND UNI-  
 10 VERSITIES. (a) DECREASED COST-SHARING REQUIRE-  
 11 MENT.—Section 507(c) of the Omnibus Parks and Public  
 12 Lands Management Act of 1996 (16 U.S.C. 470a note) is  
 13 amended—

14 (1) by striking “(1) Except” and inserting the  
 15 following:

16 “(1) IN GENERAL.—Except”;

17 (2) by striking “paragraph (2)” and inserting  
 18 “paragraphs (2) and (3)”;

19 (3) by striking “(2) The Secretary” and insert-  
 20 ing the following:

21 “(2) WAIVER.—The Secretary”;

22 (4) by striking “paragraph (1)” and inserting  
 23 “paragraphs (1) and (3)”;

24 (5) by adding at the end the following:

1           “(3) *EXCEPTION.*—*The Secretary shall not obli-*  
 2           *gate funds made available under subsection (d)(2) for*  
 3           *a grant with respect to a building or structure listed*  
 4           *on, or eligible for listing on, the National Register of*  
 5           *Historic Places unless the grantee agrees to provide,*  
 6           *from funds derived from non-Federal sources, an*  
 7           *amount that is equal to 30 percent of the total cost*  
 8           *of the project for which the grant is provided.”.*

9           (b) *AUTHORIZATION OF APPROPRIATIONS.*—*Section*  
 10          *507(d) of the Omnibus Parks and Public Lands Manage-*  
 11          *ment Act of 1996 (16 U.S.C. 470a note) is amended—*

12                 (1) *by striking “Pursuant to” and inserting the*  
 13                 *following:*

14                         “(1) *IN GENERAL.*—*Under”;* *and*

15                         (2) *by adding at the end the following:*

16                                 “(2) *ADDITIONAL FUNDING.*—*In addition to*  
 17                                 *amounts made available under paragraph (1), there*  
 18                                 *is authorized to be appropriated from the Historic*  
 19                                 *Preservation Fund to carry out this section*  
 20                                 *\$10,000,000 for each of fiscal years 2003 through*  
 21                                 *2008.”.*

22           *SEC. 137. The document entitled “Final Environ-*  
 23           *mental Impact Statement for the Renewal of the Federal*  
 24           *Grant for the Trans-Alaska Pipeline System Right-of-Way*  
 25           *(FEIS)” dated November 2002, shall be deemed sufficient*

1 *to meet the requirements of section 102(2)(C) of the Na-*  
2 *tional Environmental Policy Act (42 U.S.C. 4332(2)(C))*  
3 *with respect to the determination contained in the Record*  
4 *of Decision dated January 8, 2003 relating to the renewal*  
5 *of the Federal right-of-way for the Trans-Alaska Pipeline*  
6 *and related facilities.*

7       *SEC. 138. MISSOURI RIVER. It is the sense of the Con-*  
8 *gress that the member States and tribes of the Missouri*  
9 *River Basin Association are strongly encouraged to reach*  
10 *agreement on a flow schedule for the Missouri River as soon*  
11 *as practicable for 2003.*

12       *SEC. 139. TREATMENT OF ABANDONED MINE REC-*  
13 *LAMATION FUND INTEREST. (a) IN GENERAL.—Notwith-*  
14 *standing any other provision of law, any interest credited*  
15 *to the fund established by section 401 of the Surface Mining*  
16 *Control and Reclamation Act of 1977 (30 U.S.C. 1231)*  
17 *shall be transferred to the Combined Fund identified in sec-*  
18 *tion 402(h)(2) of such Act (30 U.S.C. 1232(h)(2)), up to*  
19 *such amount as is estimated by the trustees of such Com-*  
20 *bined Fund to offset the amount of any deficit in net assets*  
21 *in the Combined Fund. No transfers made pursuant to this*  
22 *section shall exceed \$34,000,000.*

23       *(b) PROHIBITION ON OTHER TRANSFERS.—Except as*  
24 *provided in subsection (a), no principal amounts in or*  
25 *credited to the fund established by section 401 of the Surface*

1 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*  
2 *1231) may be transferred to the Combined Fund identified*  
3 *in section 402(h)(2) of such Act (30 U.S.C 1232(h)(2)).*

4 (c) *LIMITATION.—This section shall cease to have any*  
5 *force and effect after September 30, 2004.*

6 *SEC. 140. Section 511(g)(2)(A) of the Omnibus Parks*  
7 *and Public Lands Management Act of 1996 (16 U.S.C.*  
8 *410ddd(g)(2)(A)) is amended by striking “\$2,000,000” and*  
9 *inserting “\$5,000,000”.*

10 *SEC. 141. Congress reaffirms its original intent that*  
11 *the Herger-Feinstein Quincy Library Group Forest Recov-*  
12 *ery Act of 1998 be implemented, and hereby extends the ex-*  
13 *piration of the Quincy Library Group Act by 5 years.*

14 *SEC. 142. REPLACEMENT OF COASTAL BARRIER RE-*  
15 *SOURCES SYSTEM MAP. (a) IN GENERAL.—The map de-*  
16 *scribed in subsection (b) is replaced, in the maps depicting*  
17 *the Coastal Barrier Resources System that are referred to*  
18 *in section 4(a) of the Coastal Barrier Resources Act (16*  
19 *U.S.C. 3503(a)), by the map entitled “Plum Tree Island*  
20 *Unit VA–59P, Long Creek Unit VA–60/VA–60P” and dated*  
21 *May 1, 2002.*

22 (b) *DESCRIPTION OF REPLACED MAP.—The map re-*  
23 *ferred to in subsection (a) is the map that—*

1           (1) *relates to Plum Island Unit VA–59P and*  
2           *Long Creek Unit VA–60/VA–60P located in Poquoson*  
3           *and Hampton, Virginia; and*

4           (2) *is included in a set of maps entitled ‘Coastal*  
5           *Barrier Resources System’, dated October 24, 1990,*  
6           *revised on October 23, 1992, and referred to in section*  
7           *4(a) of the Coastal Barrier Resources Act (16 U.S.C.*  
8           *3503(a)).*

9           (c) *AVAILABILITY.—The Secretary of the Interior shall*  
10          *keep the replacement map described in subsection (b) on*  
11          *file and available for inspection in accordance with section*  
12          *4(b) of the Coastal Barrier Resources Act (16 U.S.C.*  
13          *3503(b)).*

14          *SEC. 143. SENSE OF THE SENATE REGARDING SOUTH-*  
15          *ERN CALIFORNIA OFFSHORE OIL LEASES. (a) FINDINGS.—*  
16          *Congress finds that—*

17                 (1) *there are 36 undeveloped oil leases on land*  
18                 *in the southern California planning area of the outer*  
19                 *Continental Shelf that—*

20                         (A) *have been under review by the Secretary*  
21                         *of the Interior for an extended period of time, in-*  
22                         *cluding some leases that have been under review*  
23                         *for over 30 years; and*



1           (B) have not been approved for development  
2           under the Outer Continental Shelf Lands Act (43  
3           U.S.C. 1331 et seq.);

4           (2) the oil companies that hold the 36 leases—

5                 (A) have expressed an interest in retiring  
6                 the leases in exchange for equitable compensa-  
7                 tion; and

8                 (B) are engaged in settlement negotiations  
9                 with the Secretary of the Interior for the retire-  
10                ment of the leases; and

11           (3) it would be a waste of the taxpayer's money  
12           to continue the process for approval or permitting of  
13           the 36 leases while the Secretary of the Interior and  
14           the lessees are negotiating to retire the leases.

15           (b) *SENSE OF THE SENATE.*—It is the sense of the Sen-  
16           ate that no funds made available by this Act or any other  
17           Act for any fiscal year should be used by the Secretary of  
18           the Interior to approve any exploration, development, or  
19           production plan for, or application for a permit to drill  
20           on, the 36 undeveloped leases in the southern California  
21           planning area of the outer Continental Shelf during any  
22           period in which the lessees are engaged in settlement nego-  
23           tiations with the Secretary of the Interior for the retirement  
24           of the leases.

1        *SEC. 144. REPORT ON AVIAN MORTALITY AT COMMU-*  
2 *NICATIONS TOWERS. (a) IN GENERAL.—Not later than 180*  
3 *days after the date of enactment of this Act, the Director*  
4 *of the United States Fish and Wildlife Service, in coopera-*  
5 *tion with the Chairman of the Federal Communications*  
6 *Commission and the Administrator of the Federal Aviation*  
7 *Administration, shall submit to the Committee on Appro-*  
8 *priations, the Committee on Environment and Public*  
9 *Works, and the Committee on Commerce, Science, and*  
10 *Transportation of the Senate a report on avian mortality*  
11 *at communications towers in the United States.*

12        *(b) CONTENTS.—The report submitted under sub-*  
13 *section (a) shall include—*

14            *(1) an estimate of the number of birds that col-*  
15 *lide with communication towers;*

16            *(2) a description of the causes of those collisions;*  
17 *and*

18            *(3) recommendations on how to prevent those*  
19 *collisions.*

20        *SEC. 145. PERMANENT AUTHORITY TO OPERATE THE*  
21 *STRATEGIC PETROLEUM RESERVE AND OTHER ENERGY*  
22 *PROGRAMS. (a) AMENDMENT TO TITLE I OF THE ENERGY*  
23 *POLICY AND CONSERVATION ACT.—Title I of the Energy*  
24 *Policy and Conservation Act (42 U.S.C. 6211 et seq.) is*  
25 *amended—*

1           (1) *by striking section 166 (42 U.S.C. 6246) and*  
2           *inserting—*

3           “*AUTHORIZATION OF APPROPRIATIONS*

4           “*SEC. 166. There are authorized to be appropriated*  
5           *to the Secretary such sums as may be necessary to carry*  
6           *out this part and part D, to remain available until ex-*  
7           *pended.*”;

8           (2) *by striking section 186 (42 U.S.C. 6250e);*  
9           *and*

10          (3) *by striking part E (42 U.S.C. 6251; relating*  
11          *to the expiration of title I of the Act).*

12          (b) *AMENDMENT TO TITLE II OF THE ENERGY POLICY*  
13          *AND CONSERVATION ACT.—Title II of the Energy Policy*  
14          *and Conservation Act (42 U.S.C. 6271 et seq.) is*  
15          *amended—*

16          (1) *by striking section 256(h) (42 U.S.C.*  
17          *6276(h)) and inserting—*

18          “*(g) AUTHORIZATION OF APPROPRIATIONS.—There*  
19          *are authorized to be appropriated to the Secretary such*  
20          *sums as may be necessary to carry out this part, to remain*  
21          *available until expended.*”;

22          (2) *by inserting before section 273 (42 U.S.C.*  
23          *6283) the following:*



1 by inserting “(considered as a heating season average)”  
2 after “mid-October through March”.

3 (e) *FULL CAPACITY.*—*The President shall—*

4 (1) *fill the Strategic Petroleum Reserve estab-*  
5 *lished pursuant to part B of title I of the Energy Pol-*  
6 *icy and Conservation Act (42 U.S.C. 6231 et seq.) to*  
7 *full capacity as soon as practicable;*

8 (2) *acquire petroleum for the Strategic Petro-*  
9 *leum Reserve by the most practicable and cost-effec-*  
10 *tive means, including the acquisition of crude oil the*  
11 *United States is entitled to receive in kind as royal-*  
12 *ties from production on Federal lands; and*

13 (3) *ensure that the fill rate minimizes impacts*  
14 *on petroleum markets.*

15 (f) *RECOMMENDATIONS.*—*Not later than 180 days*  
16 *after the date of enactment of this Act, the Secretary of En-*  
17 *ergy shall submit to the Congress a plan to—*

18 (1) *eliminate any infrastructure impediments*  
19 *that may limit maximum drawdown capability; and*

20 (2) *determine whether the capacity of the Stra-*  
21 *tegic Petroleum Reserve on the date of enactment of*  
22 *this section is adequate in light of the increasing con-*  
23 *sumption of petroleum and the reliance on imported*  
24 *petroleum.*

1        *SEC. 146. MODIFIED WATER DELIVERY PROJECT IN*  
 2 *THE STATE OF FLORIDA. The Corps of Engineers, using*  
 3 *funds made available for modifications authorized by sec-*  
 4 *tion 104 of the Everglades National Park Protection and*  
 5 *Expansion Act of 1989 (16 U.S.C. 410r-8), may imme-*  
 6 *diately carry out alternative 6D (including paying 100 per-*  
 7 *cent of the cost of acquiring land or an interest in land)*  
 8 *for the purpose of providing a flood protection system for*  
 9 *the 8.5 square mile area described in the report entitled*  
 10 *“Central and South Florida Project, Modified Water Deliv-*  
 11 *eries to Everglades National Park, Florida, 8.5 Square Mile*  
 12 *Area, General Reevaluation Report and Final Supple-*  
 13 *mental Environmental Impact Statement” and dated July*  
 14 *2000.*

15                    *TITLE II—RELATED AGENCIES*

16                    *DEPARTMENT OF AGRICULTURE*

17                    *FOREST SERVICE*

18                    *FOREST AND RANGELAND RESEARCH*

19        *For necessary expenses of forest and rangeland re-*  
 20 *search as authorized by law, \$247,804,000, to remain avail-*  
 21 *able until expended.*

22                    *STATE AND PRIVATE FORESTRY*

23        *For necessary expenses of cooperating with and pro-*  
 24 *viding technical and financial assistance to States, terri-*  
 25 *ories, possessions, and others, and for forest health manage-*

1 *ment, treatment of pests, pathogens, and invasive plants,*  
2 *cooperative forestry, and education and land conservation*  
3 *activities and conducting an international program as au-*  
4 *thorized, \$297,472,000, to remain available until expended,*  
5 *as authorized by law: Provided, That notwithstanding any*  
6 *other provision of law, of the funds provided under this*  
7 *heading, \$2,000,000 shall be made available to Kake Tribal*  
8 *Corporation as an advanced direct lump sum payment to*  
9 *implement the Kake Tribal Corporation Land Transfer Act*  
10 *(Public Law 106–283).*

11 *NATIONAL FOREST SYSTEM*

12 *For necessary expenses of the Forest Service, not other-*  
13 *wise provided for, for management, protection, improve-*  
14 *ment, and utilization of the National Forest System,*  
15 *\$1,352,999,000, to remain available until expended, which*  
16 *shall include 50 percent of all moneys received during prior*  
17 *fiscal years as fees collected under the Land and Water Con-*  
18 *servaion Fund Act of 1965, as amended, in accordance*  
19 *with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided,*  
20 *That unobligated balances available at the start of fiscal*  
21 *year 2003 shall be displayed by budget line item in the fis-*  
22 *cal year 2004 budget justification: Provided further, That*  
23 *the Secretary may authorize the expenditure or transfer of*  
24 *such sums as necessary to the Department of the Interior,*  
25 *Bureau of Land Management for removal, preparation, and*  
26 *adoption of excess wild horses and burros from National*

1 *Forest System lands: Provided further, That of the funds*  
2 *provided under this heading for Forest Products, \$4,000,000*  
3 *shall be allocated to the Alaska Region, in addition to its*  
4 *normal allocation for the purposes of preparing additional*  
5 *timber for sale, to establish a 3-year timber supply and such*  
6 *funds may be transferred to other appropriations accounts*  
7 *as necessary to maximize accomplishment: Provided fur-*  
8 *ther, That within funds available for the purpose of imple-*  
9 *menting the Valles Caldera Preservation Act, notwith-*  
10 *standing the limitations of section 107(e)(2) of the Valles*  
11 *Caldera Preservation Act (Public Law 106-248), for fiscal*  
12 *year 2003, the members of the Board of Trustees of the*  
13 *Valles Caldera Trust may receive, upon request, compensa-*  
14 *tion for each day (including travel time) that they are en-*  
15 *gaged in the performance of the functions of the Board, ex-*  
16 *cept that compensation shall not exceed the daily equivalent*  
17 *of the annual rate in effect for members of the Senior Execu-*  
18 *tive Service at the ES-1 level, and shall be in addition to*  
19 *any reimbursement for travel, subsistence and other nec-*  
20 *essary expenses incurred by them in the performance of*  
21 *their duties, and except that members of the Board who are*  
22 *officers or employees of the United States shall not receive*  
23 *any additional compensation by reason of service on the*  
24 *Board.*



## WILDLAND FIRE MANAGEMENT

1  
2       *For necessary expenses for forest fire presuppression*  
3 *activities on National Forest System lands, for emergency*  
4 *fire suppression on or adjacent to such lands or other lands*  
5 *under fire protection agreement, hazardous fuel reduction*  
6 *on or adjacent to such lands, and for emergency rehabilita-*  
7 *tion of burned-over National Forest System lands and*  
8 *water, \$1,351,791,000, to remain available until expended:*  
9 *Provided, That such funds including unobligated balances*  
10 *under this head, are available for repayment of advances*  
11 *from other appropriations accounts previously transferred*  
12 *for such purposes: Provided further, That not less than 50*  
13 *percent of any unobligated balances remaining (exclusive*  
14 *of amounts for hazardous fuels reduction) at the end of fis-*  
15 *cal year 2002 shall be transferred, as repayment for past*  
16 *advances that have not been repaid, to the fund established*  
17 *pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576*  
18 *et seq.): Provided further, That notwithstanding any other*  
19 *provision of law, \$8,000,000 of funds appropriated under*  
20 *this appropriation shall be used for Fire Science Research*  
21 *in support of the Joint Fire Science Program: Provided fur-*  
22 *ther, That all authorities for the use of funds, including the*  
23 *use of contracts, grants, and cooperative agreements, avail-*  
24 *able to execute the Forest and Rangeland Research appro-*  
25 *priation, are also available in the utilization of these funds*

1 *for Fire Science Research: Provided further, That funds*  
2 *provided shall be available for emergency rehabilitation and*  
3 *restoration, hazard reduction activities in the urban-*  
4 *wildland interface, support to Federal emergency response,*  
5 *and wildfire suppression activities of the Forest Service:*  
6 *Provided further, That funds for hazardous fuel treatment*  
7 *under this heading may be used for the County Partnership*  
8 *Restoration Program for forest restoration on the Apache-*  
9 *Sitgreaves National Forest in Arizona, the Lincoln Na-*  
10 *tional Forest in New Mexico, and the Grand Mesa,*  
11 *Uncompahgre and Gunnison National Forest in Colorado:*  
12 *Provided further, That of the funds provided, \$228,109,000*  
13 *is for hazardous fuel treatment, \$6,124,000 is for rehabilita-*  
14 *tion and restoration, of which \$2,500,000 may be for reha-*  
15 *bilitation and restoration on the Apache-Sitgreaves Na-*  
16 *tional Forest, \$21,427,000 is for research activities and to*  
17 *make competitive research grants pursuant to the Forest*  
18 *and Rangeland Renewable Resources Research Act, as*  
19 *amended (16 U.S.C. 1641 et seq.), \$46,555,000 is for state*  
20 *fire assistance, \$8,240,000 is for volunteer fire assistance,*  
21 *\$11,934,000 is for forest health activities on state, private,*  
22 *and Federal lands: Provided further, That amounts in this*  
23 *paragraph may be transferred to the “State and Private*  
24 *Forestry”, “National Forest System”, and “Forest and*  
25 *Rangeland Research” accounts to fund state fire assistance,*

1 *volunteer fire assistance, and forest health management,*  
2 *vegetation and watershed management, heritage site reha-*  
3 *bilitation, wildlife and fish habitat management: Provided*  
4 *further, That transfers of any amounts in excess of those*  
5 *authorized in this paragraph, shall require approval of the*  
6 *House and Senate Committees on Appropriations in com-*  
7 *pliance with reprogramming procedures contained in*  
8 *House Report No. 105–163: Provided further, That the costs*  
9 *of implementing any cooperative agreement between the*  
10 *Federal government and any non-Federal entity may be*  
11 *shared, as mutually agreed on by the affected parties: Pro-*  
12 *vided further, That in entering into such grants or coopera-*  
13 *tive agreements, the Secretary may consider the enhance-*  
14 *ment of local and small business employment opportunities*  
15 *for rural communities, and that in entering into procure-*  
16 *ment contracts under this section on a best value basis, the*  
17 *Secretary may take into account the ability of an entity*  
18 *to enhance local and small business employment opportuni-*  
19 *ties in rural communities, and that the Secretary may*  
20 *award procurement contracts, grants, or cooperative agree-*  
21 *ments under this section to entities that include local non-*  
22 *profit entities, Youth Conservation Corps or related part-*  
23 *nerships with State, local or non-profit youth groups, or*  
24 *small or disadvantaged businesses: Provided further, That*  
25 *in addition to funds provided for State Fire Assistance pro-*

1 *grams, and subject to all authorities available to the Forest*  
2 *Service under the State and Private Forestry Appropria-*  
3 *tion, up to \$15,000,000 may be used on adjacent non-Fed-*  
4 *eral lands for the purpose of protecting communities when*  
5 *hazard reduction activities are planned on national forest*  
6 *lands that have the potential to place such communities at*  
7 *risk: Provided further, That included in funding for haz-*  
8 *ardous fuel reduction is \$5,000,000 for implementing the*  
9 *Community Forest Restoration Act, Public Law 106–393,*  
10 *title VI, and any portion of such funds shall be available*  
11 *for use on non-Federal lands in accordance with authorities*  
12 *available to the Forest Service under the State and Private*  
13 *Forestry Appropriation: Provided further, That in expend-*  
14 *ing the funds provided with respect to this Act for haz-*  
15 *ardous fuels reduction, the Secretary of the Interior and the*  
16 *Secretary of Agriculture may conduct fuel reduction treat-*  
17 *ments on Federal lands using all contracting and hiring*  
18 *authorities available to the Secretaries applicable to haz-*  
19 *ardous fuel reduction activities under the wildland fire*  
20 *management accounts. Notwithstanding Federal govern-*  
21 *ment procurement and contracting laws, the Secretaries*  
22 *may conduct fuel reduction treatments, rehabilitation and*  
23 *restoration, and other activities authorized in this section,*  
24 *on and adjacent to Federal lands using grants and coopera-*  
25 *tive agreements. Notwithstanding Federal government pro-*

1 *curement and contracting laws, in order to provide employ-*  
2 *ment and training opportunities to people in rural commu-*  
3 *nities, the Secretaries may award contracts, including con-*  
4 *tracts for monitoring activities, to—*

5           (1) *local private, nonprofit, or cooperative enti-*  
6 *ties;*

7           (2) *Youth Conservation Corps crews or related*  
8 *partnerships, with State, local and non-profit youth*  
9 *groups;*

10           (3) *small or micro-businesses; or*

11           (4) *other entities that will hire or train a sig-*  
12 *nificant percentage of local people to complete such*  
13 *contracts. The authorities described above relating to*  
14 *contracts, grants, and cooperative agreements are*  
15 *available until all funds provided in this title for haz-*  
16 *ardous fuels reduction activities in the urban*  
17 *wildland interface are obligated.*

18           *CAPITAL IMPROVEMENT AND MAINTENANCE*

19           *For necessary expenses of the Forest Service, not other-*  
20 *wise provided for, \$543,656,000, to remain available until*  
21 *expended for construction, reconstruction, maintenance and*  
22 *acquisition of buildings and other facilities, and for con-*  
23 *struction, reconstruction, repair and maintenance of forest*  
24 *roads and trails by the Forest Service as authorized by 16*  
25 *U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided,*

1 *That no funds shall be expended to decommission any sys-*  
2 *tem road until notice and an opportunity for public com-*  
3 *ment has been provided on each decommissioning project:*  
4 *Provided further, That the Forest Service shall transfer*  
5 *\$500,000 appropriated in Public Law 107-63 within the*  
6 *Capital Improvement and Maintenance appropriation, to*  
7 *the State and Private Forestry appropriation, and shall*  
8 *provide these funds in an advance direct lump sum pay-*  
9 *ment to Purdue University for planning and construction*  
10 *of a hardwood tree improvement and generation facility:*  
11 *Provided further, That notwithstanding any provision of*  
12 *law, funds provided for construction of facilities at Purdue*  
13 *University in Indiana in this Act, in the amount of*  
14 *\$3,100,000 shall be available to the University.*

15 *LAND ACQUISITION*

16 *For expenses necessary to carry out the provisions of*  
17 *the Land and Water Conservation Fund Act of 1965, as*  
18 *amended (16 U.S.C. 460l-4 through 11), including admin-*  
19 *istrative expenses, and for acquisition of land or waters,*  
20 *or interest therein, in accordance with statutory authority*  
21 *applicable to the Forest Service, \$145,763,000 to be derived*  
22 *from the Land and Water Conservation Fund and to re-*  
23 *main available until expended.*

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
2 ACTS

3 *For acquisition of lands within the exterior boundaries*  
4 *of the Cache, Uinta, and Wasatch National Forests, Utah;*  
5 *the Toiyabe National Forest, Nevada; and the Angeles, San*  
6 *Bernardino, Sequoia, and Cleveland National Forests, Cali-*  
7 *ornia, as authorized by law, \$1,069,000, to be derived from*  
8 *forest receipts.*

9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

10 *For acquisition of lands, such sums, to be derived from*  
11 *funds deposited by State, county, or municipal govern-*  
12 *ments, public school districts, or other public school authori-*  
13 *ties pursuant to the Act of December 4, 1967, as amended*  
14 *(16 U.S.C. 484a), to remain available until expended.*

15 RANGE BETTERMENT FUND

16 *For necessary expenses of range rehabilitation, protec-*  
17 *tion, and improvement, 50 percent of all moneys received*  
18 *during the prior fiscal year, as fees for grazing domestic*  
19 *livestock on lands in National Forests in the 16 Western*  
20 *States, pursuant to section 401(b)(1) of Public Law 94-*  
21 *579, as amended, to remain available until expended, of*  
22 *which not to exceed 6 percent shall be available for adminis-*  
23 *trative expenses associated with on-the-ground range reha-*  
24 *bilitation, protection, and improvements.*





1 *used to offset the purchase price for the replacement air-*  
2 *craft; (2) services pursuant to 7 U.S.C. 2225, and not to*  
3 *exceed \$100,000 for employment under 5 U.S.C. 3109; (3)*  
4 *purchase, erection, and alteration of buildings and other*  
5 *public improvements (7 U.S.C. 2250); (4) acquisition of*  
6 *land, waters, and interests therein pursuant to 7 U.S.C.*  
7 *428a; (5) for expenses pursuant to the Volunteers in the Na-*  
8 *tional Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a*  
9 *note); (6) the cost of uniforms as authorized by 5 U.S.C.*  
10 *5901–5902; and (7) for debt collection contracts in accord-*  
11 *ance with 31 U.S.C. 3718(c).*

12 *None of the funds made available under this Act shall*  
13 *be obligated or expended to abolish any region, to move or*  
14 *close any regional office for National Forest System admin-*  
15 *istration of the Forest Service, Department of Agriculture*  
16 *without the consent of the House and Senate Committees*  
17 *on Appropriations.*

18 *Any appropriations or funds available to the Forest*  
19 *Service may be transferred to the Wildland Fire Manage-*  
20 *ment appropriation for forest firefighting, emergency reha-*  
21 *bilitation of burned-over or damaged lands or waters under*  
22 *its jurisdiction, and fire preparedness due to severe burning*  
23 *conditions if and only if all previously appropriated emer-*  
24 *gency contingent funds under the heading “Wildland Fire*

1 *Management” have been released by the President and ap-*  
2 *portioned.*

3 *Funds appropriated to the Forest Service shall be*  
4 *available for assistance to or through the Agency for Inter-*  
5 *national Development and the Foreign Agricultural Service*  
6 *in connection with forest and rangeland research, technical*  
7 *information, and assistance in foreign countries, and shall*  
8 *be available to support forestry and related natural resource*  
9 *activities outside the United States and its territories and*  
10 *possessions, including technical assistance, education and*  
11 *training, and cooperation with United States and inter-*  
12 *national organizations.*

13 *None of the funds made available to the Forest Service*  
14 *under this Act shall be subject to transfer under the provi-*  
15 *sions of section 702(b) of the Department of Agriculture Or-*  
16 *ganic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless*  
17 *the proposed transfer is approved in advance by the House*  
18 *and Senate Committees on Appropriations in compliance*  
19 *with the reprogramming procedures contained in House Re-*  
20 *port No. 105–163.*

21 *None of the funds available to the Forest Service may*  
22 *be reprogrammed without the advance approval of the*  
23 *House and Senate Committees on Appropriations in ac-*  
24 *cordance with the procedures contained in House Report*  
25 *No. 105–163.*

1        *No funds available to the Forest Service shall be trans-*  
2 *ferred to the Working Capital Fund of the Department of*  
3 *Agriculture that exceed the total amount transferred during*  
4 *fiscal year 2000 for such purposes without the advance ap-*  
5 *proval of the House and Senate Committees on Appropria-*  
6 *tions.*

7        *Funds available to the Forest Service shall be available*  
8 *to conduct a program of not less than \$2,000,000 for high*  
9 *priority projects within the scope of the approved budget*  
10 *which shall be carried out by the Youth Conservation Corps.*

11        *Of the funds available to the Forest Service, \$2,500 is*  
12 *available to the Chief of the Forest Service for official recep-*  
13 *tion and representation expenses.*

14        *Pursuant to sections 405(b) and 410(b) of Public Law*  
15 *101-593, of the funds available to the Forest Service, up*  
16 *to \$2,250,000 may be advanced in a lump sum as Federal*  
17 *financial assistance to the National Forest Foundation,*  
18 *without regard to when the Foundation incurs expenses, for*  
19 *administrative expenses or projects on or benefitting Na-*  
20 *tional Forest System lands or related to Forest Service pro-*  
21 *grams: Provided, That of the Federal funds made available*  
22 *to the Foundation, no more than \$400,000 shall be available*  
23 *for administrative expenses: Provided further, That the*  
24 *Foundation shall obtain, by the end of the period of Federal*  
25 *financial assistance, private contributions to match on at*

1 *least one-for-one basis funds made available by the Forest*  
2 *Service: Provided further, That the Foundation may trans-*  
3 *fer Federal funds to a non-Federal recipient for a project*  
4 *at the same rate that the recipient has obtained the non-*  
5 *Federal matching funds: Provided further, That authorized*  
6 *investments of Federal funds held by the Foundation may*  
7 *be made only in interest-bearing obligations of the United*  
8 *States or in obligations guaranteed as to both principal and*  
9 *interest by the United States.*

10 *Pursuant to section 2(b)(2) of Public Law 98-244,*  
11 *\$2,650,000 of the funds available to the Forest Service shall*  
12 *be available for matching funds to the National Fish and*  
13 *Wildlife Foundation, as authorized by 16 U.S.C. 3701-*  
14 *3709, and may be advanced in a lump sum as Federal fi-*  
15 *nancial assistance, without regard to when expenses are in-*  
16 *curred, for projects on or benefitting National Forest Sys-*  
17 *tem lands or related to Forest Service programs: Provided,*  
18 *That the Foundation shall obtain, by the end of the period*  
19 *of Federal financial assistance, private contributions to*  
20 *match on at least one-for-one basis funds advanced by the*  
21 *Forest Service: Provided further, That the Foundation may*  
22 *transfer Federal funds to a non-Federal recipient for a*  
23 *project at the same rate that the recipient has obtained the*  
24 *non-Federal matching funds.*

1        *Funds appropriated to the Forest Service shall be*  
2 *available for interactions with and providing technical as-*  
3 *sistance to rural communities for sustainable rural develop-*  
4 *ment purposes.*

5        *Notwithstanding any other provision of law, 80 per-*  
6 *cent of the funds appropriated to the Forest Service in the*  
7 *“National Forest System” and “Capital Improvement and*  
8 *Maintenance” accounts and planned to be allocated to ac-*  
9 *tivities under the “Jobs in the Woods” program for projects*  
10 *on National Forest land in the State of Washington may*  
11 *be granted directly to the Washington State Department of*  
12 *Fish and Wildlife for accomplishment of planned projects.*  
13 *Twenty percent of said funds shall be retained by the Forest*  
14 *Service for planning and administering projects. Project se-*  
15 *lection and prioritization shall be accomplished by the For-*  
16 *est Service with such consultation with the State of Wash-*  
17 *ington as the Forest Service deems appropriate.*

18        *Funds appropriated to the Forest Service shall be*  
19 *available for payments to counties within the Columbia*  
20 *River Gorge National Scenic Area, pursuant to sections*  
21 *14(c)(1) and (2), and section 16(a)(2) of Public Law 99–*  
22 *663.*

23        *The Secretary of Agriculture is authorized to enter into*  
24 *grants, contracts, and cooperative agreements as appro-*  
25 *priate with the Pinchot Institute for Conservation, as well*

1 *as with public and other private agencies, organizations,*  
2 *institutions, and individuals, to provide for the develop-*  
3 *ment, administration, maintenance, or restoration of land,*  
4 *facilities, or Forest Service programs, at the Grey Towers*  
5 *National Historic Landmark: Provided, That, subject to*  
6 *such terms and conditions as the Secretary of Agriculture*  
7 *may prescribe, any such public or private agency, organiza-*  
8 *tion, institution, or individual may solicit, accept, and ad-*  
9 *minister private gifts of money and real or personal prop-*  
10 *erty for the benefit of, or in connection with, the activities*  
11 *and services at the Grey Towers National Historic Land-*  
12 *mark: Provided further, That such gifts may be accepted*  
13 *notwithstanding the fact that a donor conducts business*  
14 *with the Department of Agriculture in any capacity.*

15 *Funds appropriated to the Forest Service shall be*  
16 *available, as determined by the Secretary, for payments to*  
17 *Del Norte County, California, pursuant to sections 13(e)*  
18 *and 14 of the Smith River National Recreation Area Act*  
19 *(Public Law 101-612).*

20 *Notwithstanding any other provision of law, any ap-*  
21 *propriations or funds available to the Forest Service not*  
22 *to exceed \$500,000 may be used to reimburse the Office of*  
23 *the General Counsel (OGC), Department of Agriculture, for*  
24 *travel and related expenses incurred as a result of OGC as-*  
25 *sistance or participation requested by the Forest Service at*

1 meetings, training sessions, management reviews, land pur-  
2 chase negotiations and similar non-litigation related mat-  
3 ters. Future budget justifications for both the Forest Service  
4 and the Department of Agriculture should clearly display  
5 the sums previously transferred and the requested funding  
6 transfers.

7       Any appropriations or funds available to the Forest  
8 Service may be used for necessary expenses in the event of  
9 law enforcement emergencies as necessary to protect natural  
10 resources and public or employee safety: Provided, That  
11 such amounts shall not exceed \$1,000,000.

12       The Secretary of Agriculture may authorize the sale  
13 of excess buildings, facilities, and other properties owned  
14 by the Forest Service and located on the Green Mountain  
15 National Forest, the revenues of which shall be retained by  
16 the Forest Service and available to the Secretary without  
17 further appropriation and until expended for maintenance  
18 and rehabilitation activities on the Green Mountain Na-  
19 tional Forest.

20       The Secretary of Agriculture may transfer or reim-  
21 burse funds available to the Forest Service, not to exceed  
22 \$15,000,000, to the Secretary of the Interior or the Sec-  
23 retary of Commerce to expedite conferencing and consulta-  
24 tions as required under section 7 of the Endangered Species  
25 Act, 16 U.S.C. 1536. The amount of the transfer or reim-

1 *bursement shall be as mutually agreed by the Secretary of*  
2 *Agriculture and the Secretary of the Interior or Secretary*  
3 *of Commerce, as applicable, or their designees. The amount*  
4 *shall in no case exceed the actual costs of consultation and*  
5 *conferencing.*

6 *DEPARTMENT OF ENERGY*

7 *CLEAN COAL TECHNOLOGY*

8 *(DEFERRAL)*

9 *Of the funds made available under this heading for*  
10 *obligation in prior years, \$70,000,000 shall not be available*  
11 *until October 1, 2003: Provided, That funds made available*  
12 *in previous appropriations Acts shall be available for any*  
13 *ongoing project regardless of the separate request for pro-*  
14 *posal under which the project was selected.*

15 *FOSSIL ENERGY RESEARCH AND DEVELOPMENT*

16 *For necessary expenses in carrying out fossil energy*  
17 *research and development activities, under the authority of*  
18 *the Department of Energy Organization Act (Public Law*  
19 *95–91), including the acquisition of interest, including de-*  
20 *feasible and equitable interests in any real property or any*  
21 *facility or for plant or facility acquisition or expansion,*  
22 *and for conducting inquiries, technological investigations*  
23 *and research concerning the extraction, processing, use, and*  
24 *disposal of mineral substances without objectionable social*  
25 *and environmental costs (30 U.S.C. 3, 1602, and 1603),*  
26 *\$625,665,000, to remain available until expended, of which*



1 \$4,000,000 is to continue a multi-year project for construc-  
2 tion, renovation, furnishing, and demolition or removal of  
3 buildings at National Energy Technology Laboratory facili-  
4 ties in Morgantown, West Virginia and Pittsburgh, Penn-  
5 sylvania; and of which \$150,000,000 are to be made avail-  
6 able, after coordination with the private sector, for a request  
7 for proposals for a Clean Coal Power Initiative providing  
8 for competitively-awarded research, development, and dem-  
9 onstration projects to reduce the barriers to continued and  
10 expanded coal use: Provided, That no project may be se-  
11 lected for which sufficient funding is not available to pro-  
12 vide for the total project: Provided further, That funds shall  
13 be expended in accordance with the provisions governing  
14 the use of funds contained under the heading "Clean Coal  
15 Technology" in prior appropriations: Provided further,  
16 That the Department may include provisions for repayment  
17 of Government contributions to individual projects in an  
18 amount up to the Government contribution to the project  
19 on terms and conditions that are acceptable to the Depart-  
20 ment including repayments from sale and licensing of tech-  
21 nologies from both domestic and foreign transactions: Pro-  
22 vided further, That such repayments shall be retained by  
23 the Department for future coal-related research, develop-  
24 ment and demonstration projects: Provided further, That  
25 any technology selected under this program shall be consid-

1 *ered a Clean Coal Technology, and any project selected*  
2 *under this program shall be considered a Clean Coal Tech-*  
3 *nology Project, for the purposes of 42 U.S.C. § 7651n, and*  
4 *Chapters 51, 52, and 60 of title 40 of the Code of Federal*  
5 *Regulations: Provided further, That no part of the sum*  
6 *herein made available shall be used for the field testing of*  
7 *nuclear explosives in the recovery of oil and gas: Provided*  
8 *further, That up to 4 percent of program direction funds*  
9 *available to the National Energy Technology Laboratory*  
10 *may be used to support Department of Energy activities*  
11 *not included in this account.*

12 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

13 *For expenses necessary to carry out naval petroleum*  
14 *and oil shale reserve activities, \$20,831,000, to remain*  
15 *available until expended: Provided, That, notwithstanding*  
16 *any other provision of law, unobligated funds remaining*  
17 *from prior years shall be available for all naval petroleum*  
18 *and oil shale reserve activities.*

19 *ELK HILLS SCHOOL LANDS FUND*

20 *For necessary expenses in fulfilling installment pay-*  
21 *ments under the Settlement Agreement entered into by the*  
22 *United States and the State of California on October 11,*  
23 *1996, as authorized by section 3415 of Public Law 104-*  
24 *106, \$36,000,000, to become available on October 1, 2003*  
25 *for payment to the State of California for the State Teach-*

1 *ers' Retirement Fund from the Elk Hills School Lands*  
 2 *Fund.*

3 *ENERGY CONSERVATION*

4 *For necessary expenses in carrying out energy con-*  
 5 *servation activities, \$884,293,000, to remain available until*  
 6 *expended: Provided, That \$270,000,000 shall be for use in*  
 7 *energy conservation grant programs as defined in section*  
 8 *3008(3) of Public Law 99-509 (15 U.S.C. 4507): Provided*  
 9 *further, That notwithstanding section 3003(d)(2) of Public*  
 10 *Law 99-509, such sums shall be allocated to the eligible*  
 11 *programs as follows: \$225,000,000 for weatherization assist-*  
 12 *ance grants and \$45,000,000 for State energy conservation*  
 13 *grants.*

14 *ECONOMIC REGULATION*

15 *For necessary expenses in carrying out the activities*  
 16 *of the Office of Hearings and Appeals, \$1,487,000, to re-*  
 17 *main available until expended.*

18 *STRATEGIC PETROLEUM RESERVE*

19 *For necessary expenses for Strategic Petroleum Reserve*  
 20 *facility development and operations and program manage-*  
 21 *ment activities pursuant to the Energy Policy and Con-*  
 22 *servation Act of 1975, as amended (42 U.S.C. 6201 et seq.),*  
 23 *\$172,856,000, to remain available until expended.*

24 *SPR PETROLEUM ACCOUNT*

25 *For the acquisition and transportation of petroleum*  
 26 *and for other necessary expenses pursuant to the Energy*

1 *Policy and Conservation Act of 1975, as amended (42*  
2 *U.S.C. 6201 et seq.), \$7,000,000, to remain available until*  
3 *expended.*

4 *NORTHEAST HOME HEATING OIL RESERVE*

5 *For necessary expenses for Northeast Home Heating*  
6 *Oil Reserve storage, operations, and management activities*  
7 *pursuant to the Energy Policy and Conservation Act of*  
8 *2000, \$6,000,000, to remain available until expended.*

9 *ENERGY INFORMATION ADMINISTRATION*

10 *For necessary expenses in carrying out the activities*  
11 *of the Energy Information Administration, \$80,111,000, to*  
12 *remain available until expended.*

13 *ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY*

14 *Appropriations under this Act for the current fiscal*  
15 *year shall be available for hire of passenger motor vehicles;*  
16 *hire, maintenance, and operation of aircraft; purchase, re-*  
17 *pair, and cleaning of uniforms; and reimbursement to the*  
18 *General Services Administration for security guard serv-*  
19 *ices.*

20 *From appropriations under this Act, transfers of sums*  
21 *may be made to other agencies of the Government for the*  
22 *performance of work for which the appropriation is made.*

23 *None of the funds made available to the Department*  
24 *of Energy under this Act shall be used to implement or fi-*  
25 *nance authorized price support or loan guarantee programs*

1 *unless specific provision is made for such programs in an*  
2 *appropriations Act.*

3       *The Secretary is authorized to accept lands, buildings,*  
4 *equipment, and other contributions from public and private*  
5 *sources and to prosecute projects in cooperation with other*  
6 *agencies, Federal, State, private or foreign: Provided, That*  
7 *revenues and other moneys received by or for the account*  
8 *of the Department of Energy or otherwise generated by sale*  
9 *of products in connection with projects of the Department*  
10 *appropriated under this Act may be retained by the Sec-*  
11 *retary of Energy, to be available until expended, and used*  
12 *only for plant construction, operation, costs, and payments*  
13 *to cost-sharing entities as provided in appropriate cost-*  
14 *sharing contracts or agreements: Provided further, That the*  
15 *remainder of revenues after the making of such payments*  
16 *shall be covered into the Treasury as miscellaneous receipts:*  
17 *Provided further, That any contract, agreement, or provi-*  
18 *sion thereof entered into by the Secretary pursuant to this*  
19 *authority shall not be executed prior to the expiration of*  
20 *30 calendar days (not including any day in which either*  
21 *House of Congress is not in session because of adjournment*  
22 *of more than 3 calendar days to a day certain) from the*  
23 *receipt by the Speaker of the House of Representatives and*  
24 *the President of the Senate of a full comprehensive report*

1 *on such project, including the facts and circumstances relied*  
2 *upon in support of the proposed project.*

3 *No funds provided in this Act may be expended by the*  
4 *Department of Energy to prepare, issue, or process procure-*  
5 *ment documents for programs or projects for which appro-*  
6 *priations have not been made.*

7 *In addition to other authorities set forth in this Act,*  
8 *the Secretary may accept fees and contributions from public*  
9 *and private sources, to be deposited in a contributed funds*  
10 *account, and prosecute projects using such fees and con-*  
11 *tributions in cooperation with other Federal, State or pri-*  
12 *vate agencies or concerns.*

13 *DEPARTMENT OF HEALTH AND HUMAN*  
14 *SERVICES*

15 *INDIAN HEALTH SERVICE*

16 *INDIAN HEALTH SERVICES*

17 *For expenses necessary to carry out the Act of August*  
18 *5, 1954 (68 Stat. 674), the Indian Self-Determination Act,*  
19 *the Indian Health Care Improvement Act, and titles II and*  
20 *III of the Public Health Service Act with respect to the In-*  
21 *dian Health Service, \$2,455,881,000, together with pay-*  
22 *ments received during the fiscal year pursuant to 42 U.S.C.*  
23 *238(b) for services furnished by the Indian Health Service:*  
24 *Provided, That funds made available to tribes and tribal*  
25 *organizations through contracts, grant agreements, or any*

1 *other agreements or compacts authorized by the Indian Self-*  
2 *Determination and Education Assistance Act of 1975 (25*  
3 *U.S.C. 450), shall be deemed to be obligated at the time*  
4 *of the grant or contract award and thereafter shall remain*  
5 *available to the tribe or tribal organization without fiscal*  
6 *year limitation: Provided further, That \$18,000,000 shall*  
7 *remain available until expended, for the Indian Cata-*  
8 *strophic Health Emergency Fund: Provided further, That*  
9 *\$450,130,000 for contract medical care shall remain avail-*  
10 *able for obligation until September 30, 2004: Provided fur-*  
11 *ther, That of the funds provided, up to \$22,000,000 shall*  
12 *be used to carry out the loan repayment program under*  
13 *section 108 of the Indian Health Care Improvement Act:*  
14 *Provided further, That funds provided in this Act may be*  
15 *used for one-year contracts and grants which are to be per-*  
16 *formed in two fiscal years, so long as the total obligation*  
17 *is recorded in the year for which the funds are appro-*  
18 *priated: Provided further, That the amounts collected by the*  
19 *Secretary of Health and Human Services under the author-*  
20 *ity of title IV of the Indian Health Care Improvement Act*  
21 *shall remain available until expended for the purpose of*  
22 *achieving compliance with the applicable conditions and re-*  
23 *quirements of titles XVIII and XIX of the Social Security*  
24 *Act (exclusive of planning, design, or construction of new*  
25 *facilities): Provided further, That funding contained herein,*

1 *and in any earlier appropriations Acts for scholarship pro-*  
2 *grams under the Indian Health Care Improvement Act (25*  
3 *U.S.C. 1613) shall remain available for obligation until*  
4 *September 30, 2004: Provided further, That amounts re-*  
5 *ceived by tribes and tribal organizations under title IV of*  
6 *the Indian Health Care Improvement Act shall be reported*  
7 *and accounted for and available to the receiving tribes and*  
8 *tribal organizations until expended: Provided further, That,*  
9 *notwithstanding any other provision of law, of the amounts*  
10 *provided herein, not to exceed \$270,734,000 shall be for*  
11 *payments to tribes and tribal organizations for contract or*  
12 *grant support costs associated with contracts, grants, self-*  
13 *governance compacts or annual funding agreements between*  
14 *the Indian Health Service and a tribe or tribal organiza-*  
15 *tion pursuant to the Indian Self-Determination Act of*  
16 *1975, as amended, prior to or during fiscal year 2003, of*  
17 *which not to exceed \$2,500,000 may be used for contract*  
18 *support costs associated with new or expanded self-deter-*  
19 *mination contracts, grants, self-governance compacts or an-*  
20 *nual funding agreements: Provided further, That notwith-*  
21 *standing any other provision of law, contributions author-*  
22 *ized by 10 U.S.C. 1111 for the Uniformed Service of the*  
23 *Public Health Service shall be paid in fiscal year 2003 from*  
24 *the Department of Health and Human Services's Retire-*  
25 *ment Pay and Medical Benefits for Commissioned Officers*



1 *account without charges billed to the Indian Health Service:*  
2 *Provided further, That the provisions of 10 U.S.C. 1116*  
3 *shall not apply to the Indian Health Service: Provided fur-*  
4 *ther, That funds available for the Indian Health Care Im-*  
5 *provement Fund may be used, as needed, to carry out ac-*  
6 *tivities typically funded under the Indian Health Facilities*  
7 *account: Provided further, That of the amounts provided*  
8 *for Indian Health Services, \$15,000,000 is provided to the*  
9 *Alaska Federation of Natives for alcohol control, prevention,*  
10 *treatment, sobriety and wellness, of which at least \$100,000*  
11 *shall be available for an independent third party to conduct*  
12 *an evaluation of the program: Provided further, That no*  
13 *more than 5 percent may be used by any entity receiving*  
14 *funding for administrative overhead including indirect*  
15 *costs: Provided further, That prior to the release of funds*  
16 *to a regional Native non-profit entity, it must enter into*  
17 *an agreement with the regional Native health corporation*  
18 *on allocation of resources to avoid duplication of effort and*  
19 *to foster cooperation.*

20 *INDIAN HEALTH FACILITIES*

21 *For construction, repair, maintenance, improvement,*  
22 *and equipment of health and related auxiliary facilities, in-*  
23 *cluding quarters for personnel; preparation of plans, speci-*  
24 *fications, and drawings; acquisition of sites, purchase and*  
25 *erection of modular buildings, and purchases of trailers;*  
26 *and for provision of domestic and community sanitation*

1 *facilities for Indians, as authorized by section 7 of the Act*  
2 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*  
3 *mination Act, and the Indian Health Care Improvement*  
4 *Act, and for expenses necessary to carry out such Acts and*  
5 *titles II and III of the Public Health Service Act with re-*  
6 *spect to environmental health and facilities support activi-*  
7 *ties of the Indian Health Service, \$365,390,000, to remain*  
8 *available until expended: Provided, That notwithstanding*  
9 *any other provision of law, funds appropriated for the plan-*  
10 *ning, design, construction or renovation of health facilities*  
11 *for the benefit of an Indian tribe or tribes may be used*  
12 *to purchase land for sites to construct, improve, or enlarge*  
13 *health or related facilities: Provided further, That from the*  
14 *funds appropriated herein, \$5,000,000 shall be designated*  
15 *by the Indian Health Service as a contribution to the*  
16 *Yukon-Kuskokwim Health Corporation (YKHC) to con-*  
17 *tinue a priority project for the acquisition of land, plan-*  
18 *ning, design and construction of 79 staff quarters in the*  
19 *Bethel service area, pursuant to the negotiated project*  
20 *agreement between the YKHC and the Indian Health Serv-*  
21 *ice: Provided further, That this project shall not be subject*  
22 *to the construction provisions of the Indian Self-Determina-*  
23 *tion and Education Assistance Act and shall be removed*  
24 *from the Indian Health Service priority list upon comple-*  
25 *tion: Provided further, That the Federal Government shall*

1 *not be liable for any property damages or other construction*  
2 *claims that may arise from YKHC undertaking this project:*  
3 *Provided further, That the land shall be owned or leased*  
4 *by the YKHC and title to quarters shall remain vested with*  
5 *the YKHC: Provided further, That not to exceed \$500,000*  
6 *shall be used by the Indian Health Service to purchase*  
7 *TRANSAM equipment from the Department of Defense for*  
8 *distribution to the Indian Health Service and tribal facili-*  
9 *ties: Provided further, That none of the funds appropriated*  
10 *to the Indian Health Service may be used for sanitation*  
11 *facilities construction for new homes funded with grants by*  
12 *the housing programs of the U.S. Department of Housing*  
13 *and Urban Development: Provided further, That not to ex-*  
14 *ceed \$1,000,000 shall be used by the Indian Health Service*  
15 *to obtain ambulances for the Indian Health Service and*  
16 *tribal facilities in conjunction with an existing interagency*  
17 *agreement between the Indian Health Service and the Gen-*  
18 *eral Services Administration: Provided further, That not to*  
19 *exceed \$500,000 shall be placed in a Demolition Fund,*  
20 *available until expended, to be used by the Indian Health*  
21 *Service for demolition of Federal buildings: Provided fur-*  
22 *ther, That notwithstanding the provisions of title III, sec-*  
23 *tion 306, of the Indian Health Care Improvement Act (Pub-*  
24 *lic Law 94-437, as amended), construction contracts au-*  
25 *thorized under title I of the Indian Self-Determination and*

1 *Education Assistance Act of 1975, as amended, may be used*  
2 *rather than grants to fund small ambulatory facility con-*  
3 *struction projects: Provided further, That if a contract is*  
4 *used, the IHS is authorized to improve municipal, private,*  
5 *or tribal lands, and that at no time, during construction*  
6 *or after completion of the project will the Federal Govern-*  
7 *ment have any rights or title to any real or personal prop-*  
8 *erty acquired as a part of the contract: Provided further,*  
9 *That notwithstanding any other provision of law or regula-*  
10 *tion, for purposes of acquiring sites for a new clinic and*  
11 *staff quarters in St. Paul Island, Alaska, the Secretary of*  
12 *Health and Human Services may accept land donated by*  
13 *the Tanadgusix Corporation.*

14 *ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE*

15 *Appropriations in this Act to the Indian Health Serv-*  
16 *ice shall be available for services as authorized by 5 U.S.C.*  
17 *3109 but at rates not to exceed the per diem rate equivalent*  
18 *to the maximum rate payable for senior-level positions*  
19 *under 5 U.S.C. 5376; hire of passenger motor vehicles and*  
20 *aircraft; purchase of medical equipment; purchase of re-*  
21 *prints; purchase, renovation and erection of modular build-*  
22 *ings and renovation of existing facilities; payments for tele-*  
23 *phone service in private residences in the field, when au-*  
24 *thorized under regulations approved by the Secretary; and*  
25 *for uniforms or allowances therefor as authorized by 5*  
26 *U.S.C. 5901–5902; and for expenses of attendance at meet-*

1 *ings which are concerned with the functions or activities*  
2 *for which the appropriation is made or which will con-*  
3 *tribute to improved conduct, supervision, or management*  
4 *of those functions or activities.*

5 *In accordance with the provisions of the Indian Health*  
6 *Care Improvement Act, non-Indian patients may be ex-*  
7 *tended health care at all tribally administered or Indian*  
8 *Health Service facilities, subject to charges, and the pro-*  
9 *ceeds along with funds recovered under the Federal Medical*  
10 *Care Recovery Act (42 U.S.C. 2651–2653) shall be credited*  
11 *to the account of the facility providing the service and shall*  
12 *be available without fiscal year limitation. Notwith-*  
13 *standing any other law or regulation, funds transferred*  
14 *from the Department of Housing and Urban Development*  
15 *to the Indian Health Service shall be administered under*  
16 *Public Law 86–121 (the Indian Sanitation Facilities Act)*  
17 *and Public Law 93–638, as amended.*

18 *Funds appropriated to the Indian Health Service in*  
19 *this Act, except those used for administrative and program*  
20 *direction purposes, shall not be subject to limitations di-*  
21 *rected at curtailing Federal travel and transportation.*

22 *Notwithstanding any other provision of law, funds*  
23 *previously or herein made available to a tribe or tribal or-*  
24 *ganization through a contract, grant, or agreement author-*  
25 *ized by title I or title III of the Indian Self-Determination*

1 *and Education Assistance Act of 1975 (25 U.S.C. 450), may*  
2 *be deobligated and reobligated to a self-determination con-*  
3 *tract under title I, or a self-governance agreement under*  
4 *title III of such Act and thereafter shall remain available*  
5 *to the tribe or tribal organization without fiscal year limi-*  
6 *tation.*

7 *None of the funds made available to the Indian Health*  
8 *Service in this Act shall be used to implement the final rule*  
9 *published in the Federal Register on September 16, 1987,*  
10 *by the Department of Health and Human Services, relating*  
11 *to the eligibility for the health care services of the Indian*  
12 *Health Service until the Indian Health Service has sub-*  
13 *mitted a budget request reflecting the increased costs associ-*  
14 *ated with the proposed final rule, and such request has been*  
15 *included in an appropriations Act and enacted into law.*

16 *Funds made available in this Act are to be appor-*  
17 *tioned to the Indian Health Service as appropriated in this*  
18 *Act, and accounted for in the appropriation structure set*  
19 *forth in this Act.*

20 *With respect to functions transferred by the Indian*  
21 *Health Service to tribes or tribal organizations, the Indian*  
22 *Health Service is authorized to provide goods and services*  
23 *to those entities, on a reimbursable basis, including pay-*  
24 *ment in advance with subsequent adjustment. The reim-*  
25 *bursements received therefrom, along with the funds received*

1 *from those entities pursuant to the Indian Self-Determina-*  
2 *tion Act, may be credited to the same or subsequent appro-*  
3 *priation account which provided the funding. Such*  
4 *amounts shall remain available until expended.*

5 *Reimbursements for training, technical assistance, or*  
6 *services provided by the Indian Health Service will contain*  
7 *total costs, including direct, administrative, and overhead*  
8 *associated with the provision of goods, services, or technical*  
9 *assistance.*

10 *The appropriation structure for the Indian Health*  
11 *Service may not be altered without advance approval of the*  
12 *House and Senate Committees on Appropriations.*

### 13 *OTHER RELATED AGENCIES*

#### 14 *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*

##### 15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Office of Navajo and*  
17 *Hopi Indian Relocation as authorized by Public Law 93-*  
18 *531, \$14,491,000, to remain available until expended: Pro-*  
19 *vided, That funds provided in this or any other appropria-*  
20 *tions Act are to be used to relocate eligible individuals and*  
21 *groups including evictees from District 6, Hopi-partitioned*  
22 *lands residents, those in significantly substandard housing,*  
23 *and all others certified as eligible and not included in the*  
24 *preceding categories: Provided further, That none of the*  
25 *funds contained in this or any other Act may be used by*

1 *the Office of Navajo and Hopi Indian Relocation to evict*  
 2 *any single Navajo or Navajo family who, as of November*  
 3 *30, 1985, was physically domiciled on the lands partitioned*  
 4 *to the Hopi Tribe unless a new or replacement home is pro-*  
 5 *vided for such household: Provided further, That no*  
 6 *relocatee will be provided with more than one new or re-*  
 7 *placement home: Provided further, That the Office shall re-*  
 8 *locate any certified eligible relocatees who have selected and*  
 9 *received an approved homesite on the Navajo reservation*  
 10 *or selected a replacement residence off the Navajo reserva-*  
 11 *tion or on the land acquired pursuant to 25 U.S.C. 640d-*  
 12 *10.*

13 *INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE*  
 14 *CULTURE AND ARTS DEVELOPMENT*

15 *PAYMENT TO THE INSTITUTE*

16 *For payment to the Institute of American Indian and*  
 17 *Alaska Native Culture and Arts Development, as authorized*  
 18 *by title XV of Public Law 99-498, as amended (20 U.S.C.*  
 19 *56 part A), \$5,130,000, of which \$1,000,000 shall remain*  
 20 *available until expended for construction of the Library*  
 21 *Technology Center.*

22 *SMITHSONIAN INSTITUTION*

23 *SALARIES AND EXPENSES*

24 *(INCLUDING RESCISSION)*

25 *For necessary expenses of the Smithsonian Institution,*  
 26 *as authorized by law, including research in the fields of art,*



1 science, and history; development, preservation, and docu-  
2 mentation of the National Collections; presentation of pub-  
3 lic exhibits and performances; collection, preparation, dis-  
4 semination, and exchange of information and publications;  
5 conduct of education, training, and museum assistance pro-  
6 grams; maintenance, alteration, operation, lease (for terms  
7 not to exceed 30 years), and protection of buildings, facili-  
8 ties, and approaches; not to exceed \$100,000 for services as  
9 authorized by 5 U.S.C. 3109; up to five replacement pas-  
10 senger vehicles; purchase, rental, repair, and cleaning of  
11 uniforms for employees, \$450,760,000, of which not to ex-  
12 ceed \$43,884,000 for the instrumentation program, collec-  
13 tions acquisition, exhibition reinstallation, the National  
14 Museum of the American Indian, and the repatriation of  
15 skeletal remains program shall remain available until ex-  
16 pended, and including such funds as may be necessary to  
17 support American overseas research centers and a total of  
18 \$125,000 for the Council of American Overseas Research  
19 Centers: Provided, That funds appropriated herein are  
20 available for advance payments to independent contractors  
21 performing research services or participating in official  
22 Smithsonian presentations: Provided further, That the  
23 Smithsonian Institution may expend Federal appropria-  
24 tions designated in this Act for lease or rent payments for  
25 long term and swing space, as rent payable to the Smithso-

1 nian Institution, and such rent payments may be deposited  
2 into the general trust funds of the Institution to the extent  
3 that federally supported activities are housed in the 900 H  
4 Street, N.W. building in the District of Columbia: Provided  
5 further, That this use of Federal appropriations shall not  
6 be construed as debt service, a Federal guarantee of, a trans-  
7 fer of risk to, or an obligation of, the Federal Government:  
8 Provided further, That no appropriated funds may be used  
9 to service debt which is incurred to finance the costs of ac-  
10 quiring the 900 H Street building or of planning, design-  
11 ing, and constructing improvements to such building: Pro-  
12 vided further, That from unobligated balances of prior year  
13 appropriations, \$14,100,000 is rescinded.

14 REPAIR, RESTORATION AND ALTERATION OF FACILITIES

15 For necessary expenses of maintenance, repair, res-  
16 toration, and alteration of facilities owned or occupied by  
17 the Smithsonian Institution, including necessary personnel,  
18 by contract or otherwise, as authorized by section 2 of the  
19 Act of August 22, 1949 (63 Stat. 623), \$78,300,000, to re-  
20 main available until expended, of which \$16,750,000 is pro-  
21 vided for maintenance, repair, rehabilitation and alteration  
22 of facilities at the National Zoological Park, and of which  
23 not to exceed \$100,000 is for services as authorized by 5  
24 U.S.C. 3109: Provided, That contracts awarded for environ-  
25 mental systems, protection systems, and repair or restora-  
26 tion of facilities of the Smithsonian Institution may be ne-

1 *gotiated with selected contractors and awarded on the basis*  
 2 *of contractor qualifications as well as price: Provided fur-*  
 3 *ther, That notwithstanding any other provision of law, a*  
 4 *single procurement contract for the repair and renovation*  
 5 *of the Patent Office Building may be issued which includes*  
 6 *the full scope of the project: Provided further, That the solic-*  
 7 *itation of the contract and the contract shall contain the*  
 8 *clause “availability of funds” found at 48 C.F.R. 52.232–*  
 9 *18.*

10 *CONSTRUCTION*

11 *For necessary expenses for construction of the National*  
 12 *Museum of the American Indian, including necessary per-*  
 13 *sonnel, \$16,000,000, to remain available until expended.*

14 *ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION*

15 *None of the funds in this or any other Act may be*  
 16 *used to make any changes to the existing Smithsonian*  
 17 *science programs including closure of facilities, relocation*  
 18 *of staff or redirection of functions and programs without*  
 19 *approval from the Board of Regents of recommendations re-*  
 20 *ceived from the Science Commission.*

21 *None of the funds in this or any other Act may be*  
 22 *used to initiate the design for any proposed expansion of*  
 23 *current space or new facility without consultation with the*  
 24 *House and Senate Appropriations Committees.*

25 *None of the funds in this or any other Act may be*  
 26 *used for the Holt House located at the National Zoological*

1 *Park in Washington, D.C., unless identified as repairs to*  
2 *minimize water damage, monitor structure movement, or*  
3 *provide interim structural support.*

4 *None of the funds available to the Smithsonian may*  
5 *be reprogrammed without the advance written approval of*  
6 *the House and Senate Committees on Appropriations in ac-*  
7 *cordance with the procedures contained in House Report*  
8 *No. 105–163.*

9 *NATIONAL GALLERY OF ART*

10 *SALARIES AND EXPENSES*

11 *For the upkeep and operations of the National Gallery*  
12 *of Art, the protection and care of the works of art therein,*  
13 *and administrative expenses incident thereto, as authorized*  
14 *by the Act of March 24, 1937 (50 Stat. 51), as amended*  
15 *by the public resolution of April 13, 1939 (Public Resolu-*  
16 *tion 9, Seventy-sixth Congress), including services as au-*  
17 *thorized by 5 U.S.C. 3109; payment in advance when au-*  
18 *thorized by the treasurer of the Gallery for membership in*  
19 *library, museum, and art associations or societies whose*  
20 *publications or services are available to members only, or*  
21 *to members at a price lower than to the general public; pur-*  
22 *chase, repair, and cleaning of uniforms for guards, and uni-*  
23 *forms, or allowances therefor, for other employees as author-*  
24 *ized by law (5 U.S.C. 5901–5902); purchase or rental of*  
25 *devices and services for protecting buildings and contents*

1 *thereof, and maintenance, alteration, improvement, and re-*  
2 *pair of buildings, approaches, and grounds; and purchase*  
3 *of services for restoration and repair of works of art for*  
4 *the National Gallery of Art by contracts made, without ad-*  
5 *vertising, with individuals, firms, or organizations at such*  
6 *rates or prices and under such terms and conditions as the*  
7 *Gallery may deem proper, \$77,219,000, of which not to ex-*  
8 *ceed \$3,026,000 for the special exhibition program shall re-*  
9 *main available until expended.*

10 *REPAIR, RESTORATION AND RENOVATION OF BUILDINGS*

11 *For necessary expenses of repair, restoration and ren-*  
12 *ovation of buildings, grounds and facilities owned or occu-*  
13 *pled by the National Gallery of Art, by contract or other-*  
14 *wise, as authorized, \$16,230,000, to remain available until*  
15 *expended: Provided, That contracts awarded for environ-*  
16 *mental systems, protection systems, and exterior repair or*  
17 *renovation of buildings of the National Gallery of Art may*  
18 *be negotiated with selected contractors and awarded on the*  
19 *basis of contractor qualifications as well as price.*

20 *JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS*

21 *OPERATIONS AND MAINTENANCE*

22 *For necessary expenses for the operation, maintenance*  
23 *and security of the John F. Kennedy Center for the Per-*  
24 *forming Arts, \$16,310,000.*



1 *functions of the Act, to remain available until expended:*  
2 *Provided, That funds previously appropriated to the Na-*  
3 *tional Endowment for the Arts “Matching Grants” account*  
4 *may be transferred to and merged with this account.*

5 *NATIONAL ENDOWMENT FOR THE HUMANITIES*

6 *GRANTS AND ADMINISTRATION*

7 *For necessary expenses to carry out the National Foun-*  
8 *dation on the Arts and the Humanities Act of 1965, as*  
9 *amended, \$109,632,000, shall be available to the National*  
10 *Endowment for the Humanities for support of activities in*  
11 *the humanities, pursuant to section 7(c) of the Act, and for*  
12 *administering the functions of the Act, to remain available*  
13 *until expended.*

14 *MATCHING GRANTS*

15 *To carry out the provisions of section 10(a)(2) of the*  
16 *National Foundation on the Arts and the Humanities Act*  
17 *of 1965, as amended, \$16,122,000, to remain available until*  
18 *expended, of which \$10,436,000 shall be available to the Na-*  
19 *tional Endowment for the Humanities for the purposes of*  
20 *section 7(h): Provided, That this appropriation shall be*  
21 *available for obligation only in such amounts as may be*  
22 *equal to the total amounts of gifts, bequests, and devises of*  
23 *money, and other property accepted by the chairman or by*  
24 *grantees of the Endowment under the provisions of sub-*  
25 *sections 11(a)(2)(B) and 11(a)(3)(B) during the current*

1 *and preceding fiscal years for which equal amounts have*  
2 *not previously been appropriated.*

3 *ADMINISTRATIVE PROVISION*

4 *None of the funds appropriated to the National Foun-*  
5 *ation on the Arts and the Humanities may be used to*  
6 *process any grant or contract documents which do not in-*  
7 *clude the text of 18 U.S.C. 1913: Provided, That none of*  
8 *the funds appropriated to the National Foundation on the*  
9 *Arts and the Humanities may be used for official reception*  
10 *and representation expenses: Provided further, That funds*  
11 *from nonappropriated sources may be used as necessary for*  
12 *official reception and representation expenses.*

13 *COMMISSION OF FINE ARTS*

14 *SALARIES AND EXPENSES*

15 *For expenses made necessary by the Act establishing*  
16 *a Commission of Fine Arts (40 U.S.C. 104), \$1,224,000:*  
17 *Provided, That the Commission is authorized to charge fees*  
18 *to cover the full costs of its publications, and such fees shall*  
19 *be credited to this account as an offsetting collection, to re-*  
20 *main available until expended without further appropri-*  
21 *ation.*

22 *NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS*

23 *For necessary expenses as authorized by Public Law*  
24 *99–190 (20 U.S.C. 956(a)), as amended, \$7,000,000.*



1        *ADVISORY COUNCIL ON HISTORIC PRESERVATION*2                                *SALARIES AND EXPENSES*

3        *For necessary expenses of the Advisory Council on His-*  
4 *toric Preservation (Public Law 89-665, as amended),*  
5 *\$3,667,000: Provided, That none of these funds shall be*  
6 *available for compensation of level V of the Executive Sched-*  
7 *ule or higher positions.*

8                                *NATIONAL CAPITAL PLANNING COMMISSION*9                                *SALARIES AND EXPENSES*

10        *For necessary expenses, as authorized by the National*  
11 *Capital Planning Act of 1952 (40 U.S.C. 71-71i), includ-*  
12 *ing services as authorized by 5 U.S.C. 3109, \$7,253,000:*  
13 *Provided, That all appointed members of the Commission*  
14 *will be compensated at a rate not to exceed the daily equiva-*  
15 *lent of the annual rate of pay for positions at level IV of*  
16 *the Executive Schedule for each day such member is engaged*  
17 *in the actual performance of duties.*

18        *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*19                                *HOLOCAUST MEMORIAL MUSEUM*

20        *For expenses of the Holocaust Memorial Museum, as*  
21 *authorized by Public Law 106-292 (36 U.S.C. 2301-2310),*  
22 *\$38,663,000, of which \$1,900,000 for the museum's repair*  
23 *and rehabilitation program and \$1,264,000 for the muse-*  
24 *um's exhibitions program shall remain available until ex-*  
25 *pended.*



1 *ants to any officer or employee of such department or agen-*  
2 *cy except as otherwise provided by law.*

3 *SEC. 305. No assessments may be levied against any*  
4 *program, budget activity, subactivity, or project funded by*  
5 *this Act unless advance notice of such assessments and the*  
6 *basis therefor are presented to the Committees on Appro-*  
7 *priations and are approved by such committees.*

8 *SEC. 306. None of the funds in this Act may be used*  
9 *to plan, prepare, or offer for sale timber from trees classified*  
10 *as giant sequoia (*Sequoiadendron giganteum*) which are lo-*  
11 *cated on National Forest System or Bureau of Land Man-*  
12 *agement lands in a manner different than such sales were*  
13 *conducted in fiscal year 2002.*

14 *SEC. 307. None of the funds made available by this*  
15 *Act may be obligated or expended by the National Park*  
16 *Service to enter into or implement a concession contract*  
17 *which permits or requires the removal of the underground*  
18 *lunchroom at the Carlsbad Caverns National Park.*

19 *SEC. 308. (a) LIMITATION OF FUNDS.—None of the*  
20 *funds appropriated or otherwise made available pursuant*  
21 *to this Act shall be obligated or expended to accept or proc-*  
22 *ess applications for a patent for any mining or mill site*  
23 *claim located under the general mining laws.*

24 *(b) EXCEPTIONS.—The provisions of subsection (a)*  
25 *shall not apply if the Secretary of the Interior determines*

1 *that, for the claim concerned: (1) a patent application was*  
2 *filed with the Secretary on or before September 30, 1994;*  
3 *and (2) all requirements established under sections 2325*  
4 *and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)*  
5 *for vein or lode claims and sections 2329, 2330, 2331, and*  
6 *2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37)*  
7 *for placer claims, and section 2337 of the Revised Statutes*  
8 *(30 U.S.C. 42) for mill site claims, as the case may be,*  
9 *were fully complied with by the applicant by that date.*

10 *(c) REPORT.—On September 30, 2003, the Secretary*  
11 *of the Interior shall file with the House and Senate Com-*  
12 *mittees on Appropriations and the Committee on Resources*  
13 *of the House of Representatives and the Committee on En-*  
14 *ergy and Natural Resources of the Senate a report on ac-*  
15 *tions taken by the Department under the plan submitted*  
16 *pursuant to section 314(c) of the Department of the Interior*  
17 *and Related Agencies Appropriations Act, 1997 (Public*  
18 *Law 104–208).*

19 *(d) MINERAL EXAMINATIONS.—In order to process*  
20 *patent applications in a timely and responsible manner,*  
21 *upon the request of a patent applicant, the Secretary of the*  
22 *Interior shall allow the applicant to fund a qualified third-*  
23 *party contractor to be selected by the Bureau of Land Man-*  
24 *agement to conduct a mineral examination of the mining*  
25 *claims or mill sites contained in a patent application as*

1 *set forth in subsection (b). The Bureau of Land Manage-*  
2 *ment shall have the sole responsibility to choose and pay*  
3 *the third-party contractor in accordance with the standard*  
4 *procedures employed by the Bureau of Land Management*  
5 *in the retention of third-party contractors.*

6       *SEC. 309. Notwithstanding any other provision of law,*  
7 *amounts appropriated to or earmarked in committee re-*  
8 *ports for the Bureau of Indian Affairs and the Indian*  
9 *Health Service by Public Laws 103-138, 103-332, 104-*  
10 *134, 104-208, 105-83, 105-277, 106-113, 106-291, and*  
11 *107-63 for payments to tribes and tribal organizations for*  
12 *contract support costs associated with self-determination or*  
13 *self-governance contracts, grants, compacts, or annual fund-*  
14 *ing agreements with the Bureau of Indian Affairs or the*  
15 *Indian Health Service as funded by such Acts, are the total*  
16 *amounts available for fiscal years 1994 through 2002 for*  
17 *such purposes, except that, for the Bureau of Indian Affairs,*  
18 *tribes and tribal organizations may use their tribal priority*  
19 *allocations for unmet indirect costs of ongoing contracts,*  
20 *grants, self-governance compacts or annual funding agree-*  
21 *ments.*

22       *SEC. 310. Notwithstanding any other provision of law,*  
23 *for fiscal year 2003 the Secretaries of Agriculture and the*  
24 *Interior are authorized to limit competition for watershed*  
25 *restoration project contracts as part of the “Jobs in the*

1 Woods” Program established in Region 10 of the Forest  
2 Service to individuals and entities in historically timber-  
3 dependent areas in the States of Washington, Oregon, north-  
4 ern California, Idaho, Montana, and Alaska that have been  
5 affected by reduced timber harvesting on Federal lands. The  
6 Secretaries shall consider the benefits to the local economy  
7 in evaluating bids and designing procurements which create  
8 economic opportunities for local contractors.

9 SEC. 311. Of the funds provided to the National En-  
10 dowment for the Arts—

11 (1) The Chairperson shall only award a grant to  
12 an individual if such grant is awarded to such indi-  
13 vidual for a literature fellowship, National Heritage  
14 Fellowship, or American Jazz Masters Fellowship.

15 (2) The Chairperson shall establish procedures to  
16 ensure that no funding provided through a grant, ex-  
17 cept a grant made to a State or local arts agency, or  
18 regional group, may be used to make a grant to any  
19 other organization or individual to conduct activity  
20 independent of the direct grant recipient. Nothing in  
21 this subsection shall prohibit payments made in ex-  
22 change for goods and services.

23 (3) No grant shall be used for seasonal support  
24 to a group, unless the application is specific to the

1        *contents of the season, including identified programs*  
2        *and/or projects.*

3        *SEC. 312. The National Endowment for the Arts and*  
4        *the National Endowment for the Humanities are authorized*  
5        *to solicit, accept, receive, and invest in the name of the*  
6        *United States, gifts, bequests, or devises of money and other*  
7        *property or services and to use such in furtherance of the*  
8        *functions of the National Endowment for the Arts and the*  
9        *National Endowment for the Humanities. Any proceeds*  
10       *from such gifts, bequests, or devises, after acceptance by the*  
11       *National Endowment for the Arts or the National Endow-*  
12       *ment for the Humanities, shall be paid by the donor or the*  
13       *representative of the donor to the Chairman. The Chairman*  
14       *shall enter the proceeds in a special interest-bearing account*  
15       *to the credit of the appropriate endowment for the purposes*  
16       *specified in each case.*

17       *SEC. 313. (a) In providing services or awarding finan-*  
18       *cial assistance under the National Foundation on the Arts*  
19       *and the Humanities Act of 1965 from funds appropriated*  
20       *under this Act, the Chairperson of the National Endowment*  
21       *for the Arts shall ensure that priority is given to providing*  
22       *services or awarding financial assistance for projects, pro-*  
23       *ductions, workshops, or programs that serve underserved*  
24       *populations.*

25       *(b) In this section:*

1           (1) *The term “underserved population” means a*  
2           *population of individuals, including urban minori-*  
3           *ties, who have historically been outside the purview of*  
4           *arts and humanities programs due to factors such as*  
5           *a high incidence of income below the poverty line or*  
6           *to geographic isolation.*

7           (2) *The term “poverty line” means the poverty*  
8           *line (as defined by the Office of Management and*  
9           *Budget, and revised annually in accordance with sec-*  
10          *tion 673(2) of the Community Services Block Grant*  
11          *Act (42 U.S.C. 9902(2))) applicable to a family of the*  
12          *size involved.*

13          (c) *In providing services and awarding financial as-*  
14          *sistance under the National Foundation on the Arts and*  
15          *Humanities Act of 1965 with funds appropriated by this*  
16          *Act, the Chairperson of the National Endowment for the*  
17          *Arts shall ensure that priority is given to providing services*  
18          *or awarding financial assistance for projects, productions,*  
19          *workshops, or programs that will encourage public knowl-*  
20          *edge, education, understanding, and appreciation of the*  
21          *arts.*

22          (d) *With funds appropriated by this Act to carry out*  
23          *section 5 of the National Foundation on the Arts and Hu-*  
24          *manities Act of 1965—*



1           (1) *the Chairperson shall establish a grant cat-*  
2 *egory for projects, productions, workshops, or pro-*  
3 *grams that are of national impact or availability or*  
4 *are able to tour several States;*

5           (2) *the Chairperson shall not make grants ex-*  
6 *ceeding 15 percent, in the aggregate, of such funds to*  
7 *any single State, excluding grants made under the*  
8 *authority of paragraph (1);*

9           (3) *the Chairperson shall report to the Congress*  
10 *annually and by State, on grants awarded by the*  
11 *Chairperson in each grant category under section 5 of*  
12 *such Act; and*

13           (4) *the Chairperson shall encourage the use of*  
14 *grants to improve and support community-based*  
15 *music performance and education.*

16       *SEC. 314. No part of any appropriation contained in*  
17 *this Act shall be expended or obligated to complete and issue*  
18 *the 5-year program under the Forest and Rangeland Re-*  
19 *newable Resources Planning Act.*

20       *SEC. 315. None of the funds in this Act may be used*  
21 *to support Government-wide administrative functions un-*  
22 *less such functions are justified in the budget process and*  
23 *funding is approved by the House and Senate Committees*  
24 *on Appropriations.*

1        *SEC. 316. Notwithstanding any other provision of law,*  
2 *none of the funds in this Act may be used for GSA Tele-*  
3 *communication Centers.*

4        *SEC. 317. None of the funds in this Act may be used*  
5 *for planning, design or construction of improvements to*  
6 *Pennsylvania Avenue in front of the White House without*  
7 *the advance approval of the House and Senate Committees*  
8 *on Appropriations.*

9        *SEC. 318. Amounts deposited during fiscal year 2002*  
10 *in the roads and trails fund provided for in the 14th para-*  
11 *graph under the heading "FOREST SERVICE" of the Act*  
12 *of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be*  
13 *used by the Secretary of Agriculture, without regard to the*  
14 *State in which the amounts were derived, to repair or re-*  
15 *construct roads, bridges, and trails on National Forest Sys-*  
16 *tem lands or to carry out and administer projects to im-*  
17 *prove forest health conditions, which may include the repair*  
18 *or reconstruction of roads, bridges, and trails on National*  
19 *Forest System lands in the wildland-community interface*  
20 *where there is an abnormally high risk of fire. The projects*  
21 *shall emphasize reducing risks to human safety and public*  
22 *health and property and enhancing ecological functions,*  
23 *long-term forest productivity, and biological integrity. The*  
24 *projects may be completed in a subsequent fiscal year.*  
25 *Funds shall not be expended under this section to replace*

1 *funds which would otherwise appropriately be expended*  
2 *from the timber salvage sale fund. Nothing in this section*  
3 *shall be construed to exempt any project from any environ-*  
4 *mental law.*

5       *SEC. 319. No timber sale in Region 10 shall be adver-*  
6 *tised if the indicated rate is deficit when appraised using*  
7 *a residual value approach that assigns domestic Alaska val-*  
8 *ues for western redcedar. Program accomplishments shall*  
9 *be based on volume sold. Should Region 10 sell, in fiscal*  
10 *year 2003, the annual average portion of the decadal allow-*  
11 *able sale quantity called for in the current Tongass Land*  
12 *Management Plan in sales which are not deficit when ap-*  
13 *praised using a residual value approach that assigns do-*  
14 *mestic Alaska values for western redcedar, all of the western*  
15 *redcedar timber from those sales which is surplus to the*  
16 *needs of domestic processors in Alaska, shall be made avail-*  
17 *able to domestic processors in the contiguous 48 United*  
18 *States at prevailing domestic prices. Should Region 10 sell,*  
19 *in fiscal year 2003, less than the annual average portion*  
20 *of the decadal allowable sale quantity called for in the*  
21 *Tongass Land Management Plan in sales which are not def-*  
22 *icit when appraised using a residual value approach that*  
23 *assigns domestic Alaska values for western redcedar, the vol-*  
24 *ume of western redcedar timber available to domestic proc-*  
25 *essors at prevailing domestic prices in the contiguous 48*

1 *United States shall be that volume: (i) which is surplus to*  
2 *the needs of domestic processors in Alaska, and (ii) is that*  
3 *percent of the surplus western redcedar volume determined*  
4 *by calculating the ratio of the total timber volume which*  
5 *has been sold on the Tongass to the annual average portion*  
6 *of the decadal allowable sale quantity called for in the cur-*  
7 *rent Tongass Land Management Plan. The percentage shall*  
8 *be calculated by Region 10 on a rolling basis as each sale*  
9 *is sold (for purposes of this amendment, a “rolling basis”*  
10 *shall mean that the determination of how much western*  
11 *redcedar is eligible for sale to various markets shall be made*  
12 *at the time each sale is awarded). Western redcedar shall*  
13 *be deemed “surplus to the needs of domestic processors in*  
14 *Alaska” when the timber sale holder has presented to the*  
15 *Forest Service documentation of the inability to sell western*  
16 *redcedar logs from a given sale to domestic Alaska proc-*  
17 *essors at a price equal to or greater than the log selling*  
18 *value stated in the contract. All additional western redcedar*  
19 *volume not sold to Alaska or contiguous 48 United States*  
20 *domestic processors may be exported to foreign markets at*  
21 *the election of the timber sale holder. All Alaska yellow*  
22 *cedar may be sold at prevailing export prices at the election*  
23 *of the timber sale holder.*

24 *SEC. 320. A project undertaken by the Forest Service*  
25 *under the Recreation Fee Demonstration Program as au-*

1 *thorized by section 315 of the Department of the Interior*  
2 *and Related Agencies Appropriations Act for Fiscal Year*  
3 *1996, as amended, shall not result in—*

4           (1) *displacement of the holder of an authoriza-*  
5 *tion to provide commercial recreation services on Fed-*  
6 *eral lands. Prior to initiating any project, the Sec-*  
7 *retary shall consult with potentially affected holders*  
8 *to determine what impacts the project may have on*  
9 *the holders. Any modifications to the authorization*  
10 *shall be made within the terms and conditions of the*  
11 *authorization and authorities of the impacted agency.*

12           (2) *the return of a commercial recreation service*  
13 *to the Secretary for operation when such services have*  
14 *been provided in the past by a private sector pro-*  
15 *vider, except when—*

16                   (A) *the private sector provider fails to bid*  
17 *on such opportunities;*

18                   (B) *the private sector provider terminates*  
19 *its relationship with the agency; or*

20                   (C) *the agency revokes the permit for non-*  
21 *compliance with the terms and conditions of the*  
22 *authorization.*

23 *In such cases, the agency may use the Recreation Fee Dem-*  
24 *onstrations Program to provide for operations until a subse-*

1 *quent operator can be found through the offering of a new*  
2 *prospectus.*

3       *SEC. 321. REVISION OF FOREST PLANS. Prior to Octo-*  
4 *ber 1, 2003, the Secretary of Agriculture shall not be consid-*  
5 *ered to be in violation of subparagraph 6(f)(5)(A) of the*  
6 *Forest and Rangeland Renewable Resources Planning Act*  
7 *of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than*  
8 *15 years have passed without revision of the plan for a unit*  
9 *of the National Forest System. Nothing in this section ex-*  
10 *empts the Secretary from any other requirement of the For-*  
11 *est and Rangeland Renewable Resources Planning Act (16*  
12 *U.S.C. 1600 et seq.) or any other law: Provided, That if*  
13 *the Secretary is not acting expeditiously and in good faith,*  
14 *within the funding available, to revise a plan for a unit*  
15 *of the National Forest System, this section shall be void*  
16 *with respect to such plan and a court of proper jurisdiction*  
17 *may order completion of the plan on an accelerated basis.*

18       *SEC. 322. No funds provided in this Act may be ex-*  
19 *pended to conduct preleasing, leasing and related activities*  
20 *under either the Mineral Leasing Act (30 U.S.C. 181 et seq.)*  
21 *or the Outer Continental Shelf Lands Act (43 U.S.C. 1331*  
22 *et seq.) within the boundaries of a National Monument es-*  
23 *tablished pursuant to the Act of June 8, 1906 (16 U.S.C.*  
24 *431 et seq.) as such boundary existed on January 20, 2001,*

1 *except where such activities are allowed under the Presi-*  
2 *dential proclamation establishing such monument.*

3       *SEC. 323. Section 347(a) of the Department of the In-*  
4 *terior and Related Agencies Appropriations Act, 1999, as*  
5 *included in Public Law 105–277 is amended by striking*  
6 *“2004” and inserting “2005”. The authority to enter into*  
7 *stewardship and end result contracts provided to the Forest*  
8 *Service in accordance with section 347 of title III of section*  
9 *101(e) of division A of Public Law 105–277 is hereby ex-*  
10 *panded to authorize the Forest Service to enter into an ad-*  
11 *ditional 28 contracts subject to the same terms and condi-*  
12 *tions as provided in that section: Provided, That of the ad-*  
13 *ditional contracts authorized by this section at least 9 shall*  
14 *be allocated to Region 1.*

15       *SEC. 324. Employees of the foundations established by*  
16 *Acts of Congress to solicit private sector funds on behalf*  
17 *of Federal land management agencies shall, beginning in*  
18 *fiscal year 2004, qualify for General Service Administra-*  
19 *tion contract airfares.*

20       *SEC. 325. In entering into agreements with foreign*  
21 *countries pursuant to the Wildfire Suppression Assistance*  
22 *Act (42 U.S.C. 1856m) the Secretary of Agriculture and*  
23 *the Secretary of the Interior are authorized to enter into*  
24 *reciprocal agreements in which the individuals furnished*  
25 *under said agreements to provide wildfire services are con-*

1 sidered, for purposes of tort liability, employees of the coun-  
2 try receiving said services when the individuals are fighting  
3 fires. The Secretary of Agriculture or the Secretary of the  
4 Interior shall not enter into any agreement under this pro-  
5 vision unless the foreign country (either directly or through  
6 its fire organization) agrees to assume any and all liability  
7 for the acts or omissions of American firefighters engaged  
8 in firefighting in a foreign country. When an agreement  
9 is reached for furnishing fire fighting services, the only rem-  
10 edies for acts or omissions committed while fighting fires  
11 shall be those provided under the laws of the host country  
12 and those remedies shall be the exclusive remedies for any  
13 claim arising out of fighting fires in a foreign country. Nei-  
14 ther the sending country nor any organization associated  
15 with the firefighter shall be subject to any action whatsoever  
16 pertaining to or arising out of fighting fires.

17       *SEC. 326. A grazing permit or lease issued by the Sec-*  
18 *retary of the Interior or a grazing permit issued by the Sec-*  
19 *retary of Agriculture where National Forest System lands*  
20 *are involved that expires, is transferred, or waived during*  
21 *fiscal year 2003 shall be renewed under Section 402 of the*  
22 *Federal Land Policy and Management Act of 1976, as*  
23 *amended (43 U.S.C. 1752), Section 19 of the Granger-Thye*  
24 *Act, as amended (16 U.S.C. 580l), title III of the Bankhead-*  
25 *Jones Farm Tenant Act (7 U.S.C. 1010 et seq.), or, if appli-*



1 cable, section 510 of the California Desert Protection Act  
2 (16 U.S.C. 410aaa–50). The terms and conditions con-  
3 tained in the expired, transferred, or waived permit or lease  
4 shall continue in effect under the renewed permit or lease  
5 until such time as the Secretary of the Interior or Secretary  
6 of Agriculture as appropriate completes processing of such  
7 permit or lease in compliance with all applicable laws and  
8 regulations, at which time such permit or lease may be can-  
9 celed, suspended or modified, in whole or in part, to meet  
10 the requirements of such applicable laws and regulations.  
11 Nothing in this section shall be deemed to alter the statutory  
12 authority of the Secretary of the Interior or the Secretary  
13 of Agriculture: Provided, That where National Forest Sys-  
14 tem lands are involved and the Secretary of Agriculture has  
15 renewed an expired or waived grazing permit prior to fiscal  
16 year 2003 under the authority of Section 504 of the Rescis-  
17 sions Act of 1995 (Public Law 104–19), the terms and con-  
18 ditions of the renewed grazing permit shall remain in effect  
19 until such time as the Secretary of Agriculture completes  
20 processing of the renewed permit in compliance with all ap-  
21 plicable laws and regulations or until the expiration of the  
22 renewed permit, whichever comes first. Upon completion of  
23 the processing, the permit may be canceled, suspended or  
24 modified, in whole or in part, to meet the requirements of  
25 applicable laws and regulations. Nothing in this section

1 *shall be deemed to alter the Secretary of Agriculture's statu-*  
2 *tory authority.*

3       *SEC. 327. In awarding a Federal Contract with funds*  
4 *made available by this Act, the Secretary of Agriculture and*  
5 *the Secretary of the Interior (the "Secretaries") may, in*  
6 *evaluating bids and proposals, give consideration to local*  
7 *contractors who are from, and who provide employment*  
8 *and training for, dislocated and displaced workers in an*  
9 *economically disadvantaged rural community, including*  
10 *those historically timber-dependent areas that have been af-*  
11 *ected by reduced timber harvesting on Federal lands and*  
12 *other forest-dependent rural communities isolated from sig-*  
13 *nificant alternative employment opportunities: Provided,*  
14 *That the contract is for forest hazardous fuels reduction,*  
15 *watershed or water quality monitoring or restoration, wild-*  
16 *life or fish population monitoring, or habitat restoration*  
17 *or management: Provided further, That the terms "rural*  
18 *community" and "economically disadvantaged" shall have*  
19 *the same meanings as in section 2374 of Public Law 101-*  
20 *624: Provided further, That the Secretaries shall develop*  
21 *guidance to implement this section: Provided further, That*  
22 *nothing in this section shall be construed as relieving the*  
23 *Secretaries of any duty under applicable procurement laws,*  
24 *except as provided in this section.*

1        *SEC. 328. Section 401(e)(4)(B) of Public Law 105–83*  
2 *is amended after “Not more than” by striking “5 percent”*  
3 *and inserting “15 percent”.*

4        *SEC. 329. The Record of Decision for the 2002 Supple-*  
5 *mental Environmental Impact Statement for the 1997*  
6 *Tongass Land Management Plan shall not be reviewed*  
7 *under any Forest Service administrative appeal process,*  
8 *and its adequacy shall not be subject to judicial review by*  
9 *any court of the United States.*

10        *SEC. 330. Section 7(c) of Public Law 106–143 is*  
11 *amended by striking “2001” and inserting “2004”.*

12        *SEC. 331. CLARIFICATION OF ALASKA NATIVE SET-*  
13 *TLEMENT TRUSTS. (a) Section 1629b of title 43, United*  
14 *States Code, is amended—*

15                *(1) at subsection (d)(1) by striking “An” and in-*  
16 *serting in its place “Except as otherwise set forth in*  
17 *subsection (d)(3) of this section, an”;*

18                *(2) by creating the following new subsection:*

19                *“(d)(3) A resolution described in subsection (a)(3) of*  
20 *this section shall be considered to be approved by the share-*  
21 *holders of a Native Corporation if it receives the affirmative*  
22 *vote of shares representing—*

23                *“(A) a majority of the shares present or rep-*  
24 *resented by proxy at the meeting relating to such reso-*  
25 *lution, or*

1           “(B) an amount of shares greater than a major-  
2           ity of the shares present or represented by proxy at  
3           the meeting relating to such resolution (but not great-  
4           er than two-thirds of the total voting power of the cor-  
5           poration) if the corporation establishes such a level by  
6           an amendment to its articles of incorporation.”;

7           (3) by creating the following new subsection:

8           “(f) *SUBSTANTIALLY ALL OF THE ASSETS.*—For pur-  
9           poses of this section and section 1629e of this title, a Native  
10          Corporation shall be considered to be transferring all or  
11          substantially all of its assets to a Settlement Trust only  
12          if such assets represent two-thirds or more of the fair market  
13          value of the Native Corporation’s total assets.”.

14          (b) Section 1629e(a)(3) of title 43, United States Code,  
15          is amended by striking subparagraph (B) and inserting in  
16          its place the following:

17                       “(B) shall give rise to dissenters rights to  
18                       the extent provided under the laws of the State  
19                       only if—

20                               “(i) the rights of beneficiaries in the  
21                               Settlement Trust receiving a conveyance are  
22                               inalienable; and

23                               “(ii) a shareholder vote on such trans-  
24                               fer is required by (a)(4) of section 1629b of  
25                               this title.”.

1           **TITLE IV—T’UF SHUR BIEN**  
2           **PRESERVATION TRUST AREA**

3   **SEC. 401. SHORT TITLE.**

4           *This title may be cited as the “T’uf Shur Bien Preser-*  
5 *vation Trust Area Act”.*

6   **SEC. 402. FINDINGS AND PURPOSES.**

7           *(a) FINDINGS.—Congress finds that—*

8                   *(1) in 1748, the Pueblo of Sandia received a*  
9 *grant from a representative of the King of Spain,*  
10 *which grant was recognized and confirmed by Con-*  
11 *gress in 1858 (11 Stat. 374); and*

12                   *(2) in 1994, the Pueblo filed a civil action*  
13 *against the Secretary of the Interior and the Sec-*  
14 *retary of Agriculture in the United States District*  
15 *Court for the District of Columbia (Civil No.*  
16 *1:94CV02624), asserting that Federal surveys of the*  
17 *grant boundaries erroneously excluded certain land*  
18 *within the Cibola National Forest, including a por-*  
19 *tion of the Sandia Mountain Wilderness.*

20           *(b) PURPOSES.—The purposes of this title are—*

21                   *(1) to establish the T’uf Shur Bien Preservation*  
22 *Trust Area in the Cibola National Forest;*

23                   *(2) to confirm the status of national forest land*  
24 *and wilderness land in the Area while resolving issues*  
25 *associated with the civil action referred to in sub-*

1        *section (a)(2) and the opinions of the Solicitor of the*  
 2        *Department of the Interior dated December 9, 1988*  
 3        *(M-36963; 96 I.D. 331) and January 19, 2001 (M-*  
 4        *37002); and*

5                *(3) to provide the Pueblo, the parties to the civil*  
 6        *action, and the public with a fair and just settlement*  
 7        *of the Pueblo's claim.*

8        **SEC. 403. DEFINITIONS.**

9        *In this title:*

10                (1) *AREA.—*

11                        (A) *IN GENERAL.—The term “Area” means*  
 12        *the T’uf Shur Bien Preservation Trust Area,*  
 13        *comprised of approximately 9890 acres of land*  
 14        *in the Cibola National Forest, as depicted on the*  
 15        *map.*

16                        (B) *EXCLUSIONS.—The term “Area” does*  
 17        *not include—*

18                                (i) *the subdivisions;*

19                                (ii) *Pueblo-owned land;*

20                                (iii) *the crest facilities; or*

21                                (iv) *the special use permit area.*

22                        (2) *CREST FACILITIES.—The term “crest facili-*  
 23        *ties” means—*

1           (A) all facilities and developments located  
2 on the crest of Sandia Mountain, including the  
3 Sandia Crest Electronic Site;

4           (B) electronic site access roads;

5           (C) the Crest House;

6           (D) the upper terminal, restaurant, and re-  
7 lated facilities of Sandia Peak Tram Company;

8           (E) the Crest Observation Area;

9           (F) parking lots;

10          (G) restrooms;

11          (H) the Crest Trail (Trail No. 130);

12          (I) hang glider launch sites;

13          (J) the Kiwanis cabin; and

14          (K) the land on which the facilities de-  
15 scribed in subparagraphs (A) through (J) are lo-  
16 cated and the land extending 100 feet along ter-  
17 rain to the west of each such facility, unless a  
18 different distance is agreed to in writing by the  
19 Secretary and the Pueblo and documented in the  
20 survey of the Area.

21          (3) *EXISTING USE*.—The term “existing use”  
22 means a use that—

23           (A) is occurring in the Area as of the date  
24 of enactment of this Act; or

1           (B) *is authorized in the Area after Novem-*  
 2           *ber 1, 1995, but before the date of enactment of*  
 3           *this Act.*

4           (4) *LA LUZ TRACT.*—*The term “La Luz tract”*  
 5           *means the tract comprised of approximately 31 acres*  
 6           *of land owned in fee by the Pueblo and depicted on*  
 7           *the map.*

8           (5) *LOCAL PUBLIC BODY.*—*The term “local pub-*  
 9           *lic body” means a political subdivision of the State*  
 10           *of New Mexico (as defined in New Mexico Code 6–5–*  
 11           *1).*

12           (6) *MAP.*—*The term “map” means the Forest*  
 13           *Service map entitled “T’uf Shur Bien Preservation*  
 14           *Trust Area” and dated April 2000.*

15           (7) *MODIFIED USE.*—

16           (A) *IN GENERAL.*—*The term “modified use”*  
 17           *means an existing use that, at any time after the*  
 18           *date of enactment of this Act, is modified or*  
 19           *reconfigured but not significantly expanded.*

20           (B) *INCLUSIONS.*—*The term “modified use”*  
 21           *includes—*

22                   (i) *a trail or trailhead being modified,*  
 23                   *such as to accommodate handicapped access;*

24                   (ii) *a parking area being reconfigured*  
 25                   *(but not expanded); and*



1                   (iii) a special use authorization for a  
2                   group recreation use being authorized for a  
3                   different use area or time period.

4           (8) *NEW USE.*—

5                   (A) *IN GENERAL.*—The term “new use”  
6                   means—

7                           (i) a use that is not occurring in the  
8                           Area as of the date of enactment of this Act;  
9                           and

10                           (ii) an existing use that is being modi-  
11                           fied so as to be significantly expanded or al-  
12                           tered in scope, dimension, or impact on the  
13                           land, water, air, or wildlife resources of the  
14                           Area.

15                   (B) *EXCLUSIONS.*—The term “new use”  
16                   does not include a use that—

17                           (i) is categorically excluded from docu-  
18                           mentation requirements under the National  
19                           Environmental Policy Act of 1969 (42  
20                           U.S.C. 4321 *et seq.*); or

21                           (ii) is carried out to comply with the  
22                           Endangered Species Act of 1973 (16 U.S.C.  
23                           1531 *et seq.*).

24           (9) *PIEDRA LISA TRACT.*—The term “Piedra  
25           Lisa tract” means the tract comprised of approxi-

1 *mately 160 acres of land owned by the Pueblo and de-*  
2 *picted on the map.*

3 (10) *PUEBLO.*—*The term “Pueblo” means the*  
4 *Pueblo of Sandia in its governmental capacity.*

5 (11) *SECRETARY.*—*The term “Secretary” means*  
6 *the Secretary of Agriculture, acting through the Chief*  
7 *of the Forest Service.*

8 (12) *SETTLEMENT AGREEMENT.*—*The term “Set-*  
9 *tlement Agreement” means the Agreement of Com-*  
10 *promise and Settlement dated April 4, 2000, among*  
11 *the United States, the Pueblo, and the Sandia Peak*  
12 *Tram Company.*

13 (13) *SPECIAL USE PERMIT.*—*The term “special*  
14 *use permit” means the Special Use Permit issued De-*  
15 *cember 1, 1993, by the Secretary to Sandia Peak*  
16 *Tram Company and Sandia Peak Ski Company*

17 (14) *SPECIAL USE PERMIT AREA.*—

18 (A) *IN GENERAL.*—*The term “special use*  
19 *permit area” means the land and facilities sub-*  
20 *ject to the special use permit.*

21 (B) *INCLUSIONS.*—*The term “special use*  
22 *permit area” includes—*

23 (i) *approximately 46 acres of land*  
24 *used as an aerial tramway corridor;*

1                   (ii) approximately 945 acres of land  
2                   used as a ski area; and

3                   (iii) the land and facilities described  
4                   in Exhibit A to the special use permit,  
5                   including—

6                               (I) the maintenance road to the  
7                               lower tram tower;

8                               (II) water storage and water dis-  
9                               tribution facilities; and

10                              (III) 7 helispots.

11                   (15) *SUBDIVISION*.—The term “subdivision”  
12                   means—

13                              (A) the subdivision of—

14                                   (i) Sandia Heights Addition;

15                                   (ii) Sandia Heights North Unit I, II,  
16                                   or 3;

17                                   (iii) Tierra Monte;

18                                   (iv) Valley View Acres; or

19                                   (v) Evergreen Hills; and

20                              (B) any additional plat or privately-owned  
21                   property depicted on the map.

22                   (16) *TRADITIONAL OR CULTURAL USE*.—The  
23                   term “traditional or cultural use” means—

1           (A) a ceremonial activity (including the  
2           placing of ceremonial materials in the Area);  
3           and

4           (B) the use, hunting, trapping, or gathering  
5           of plants, animals, wood, water, and other nat-  
6           ural resources for a noncommercial purpose.

7 **SEC. 404. T'UF SHUR BIEN PRESERVATION TRUST AREA.**

8           (a) *ESTABLISHMENT.*—The T'uf Shur Bien Preserva-  
9           tion Trust Area is established within the Cibola National  
10           Forest and the Sandia Mountain Wilderness as depicted on  
11           the map—

12           (1) to recognize and protect in perpetuity the  
13           rights and interests of the Pueblo in and to the Area,  
14           as specified in section 405(a);

15           (2) to preserve in perpetuity the national forest  
16           and wilderness character of the Area; and

17           (3) to recognize and protect in perpetuity the  
18           longstanding use and enjoyment of the Area by the  
19           public.

20           (b) *ADMINISTRATION AND APPLICABLE LAW.*—

21           (1) *IN GENERAL.*—The Secretary shall continue  
22           to administer the Area as part of the National Forest  
23           System subject to and consistent with the provisions  
24           of this title affecting management of the Area.

1           (2) *TRADITIONAL OR CULTURAL USES.*—*Tradi-*  
2           *tional or cultural uses by Pueblo members and mem-*  
3           *bers of other federally-recognized Indian tribes au-*  
4           *thorized to use the Area by the Pueblo under section*  
5           *405(a)(4) shall not be restricted except by—*

6                     (A) *the Wilderness Act (16 U.S.C. 1131 et*  
7                     *seq.) (including regulations promulgated under*  
8                     *that Act) as in effect on the date of enactment*  
9                     *of this Act; and*

10                    (B) *applicable Federal wildlife protection*  
11                    *laws, as provided in section 406(a)(2).*

12           (3) *LATER ENACTMENTS.*—*To the extent that*  
13           *any law enacted or amended after the date of enact-*  
14           *ment of this Act is inconsistent with this title, the law*  
15           *shall not apply to the Area unless expressly made ap-*  
16           *plicable by Congress.*

17           (4) *TRUST.*—*The use of the word “Trust” in the*  
18           *name of the Area—*

19                     (A) *is in recognition of the specific rights*  
20                     *and interests of the Pueblo in the Area; and*

21                     (B) *does not confer on the Pueblo the owner-*  
22                     *ship interest that exists in a case in which the*  
23                     *Secretary of the Interior accepts the title to land*  
24                     *held in trust for the benefit of an Indian tribe.*

25           (c) *MAP.*—

1           (1) *FILING*.—As soon as practicable after the  
2           date of enactment of this Act, the Secretary shall file  
3           the map and a legal description of the Area with the  
4           Committee on Resources of the House of Representa-  
5           tives and with the Committee on Energy and Natural  
6           Resources of the Senate.

7           (2) *PUBLIC AVAILABILITY*.—The map and legal  
8           description shall be on file and available for public  
9           inspection in the Office of the Chief of the Forest  
10          Service, Washington, District of Columbia.

11          (3) *EFFECT*.—The map and legal description  
12          filed under paragraph (1) shall have the same effect  
13          as if the map and legal description were included in  
14          this title, except that—

15                (A) technical and typographical errors shall  
16                be corrected;

17                (B) changes that may be necessary under  
18                subsection (b), (d), or (e) of section 409 or sub-  
19                section (b) or (c) of section 413 shall be made;  
20                and

21                (C) to the extent that the map and the lan-  
22                guage of this title conflict, the language of this  
23                title shall control.

24          (d) *NO CONVEYANCE OF TITLE*.—No right, title, or in-  
25          terest of the United States in or to the Area or any part

1 *of the Area shall be conveyed to or exchanged with any per-*  
 2 *son, trust, or governmental entity, including the Pueblo,*  
 3 *without specific authorization of Congress.*

4 *(e) PROHIBITED USES.—*

5 *(1) IN GENERAL.—Notwithstanding any other*  
 6 *provision of law—*

7 *(A) no use prohibited by the Wilderness Act*  
 8 *(16 U.S.C. 1131 et seq.) as of the date of enact-*  
 9 *ment of this Act shall be permitted in the wilder-*  
 10 *ness portion of the Area; and*

11 *(B) none of the following uses shall be per-*  
 12 *mitted in any portion of the Area:*

13 *(i) Gaming or gambling.*

14 *(ii) Mineral production.*

15 *(iii) Timber production.*

16 *(iv) Any new use to which the Pueblo*  
 17 *objects under section 405(a)(3).*

18 *(2) MINING CLAIMS.—The Area is closed to the*  
 19 *location of mining claims under section 2320 of the*  
 20 *Revised Statutes (30 U.S.C. 23) (commonly known as*  
 21 *the “Mining Law of 1872”).*

22 *(f) NO MODIFICATION OF BOUNDARIES.—Establish-*  
 23 *ment of the Area shall not—*

1           (1) *affect the boundaries of or repeal or disestab-*  
2           *lish the Sandia Mountain Wilderness or the Cibola*  
3           *National Forest; or*

4           (2) *modify the existing boundary of the Pueblo*  
5           *grant.*

6 **SEC. 405. PUEBLO RIGHTS AND INTERESTS IN THE AREA.**

7           (a) *IN GENERAL.*—*The Pueblo shall have the following*  
8           *rights and interests in the Area:*

9           (1) *Free and unrestricted access to the Area for*  
10           *traditional or cultural uses, to the extent that those*  
11           *uses are not inconsistent with—*

12                   (A) *the Wilderness Act (16 U.S.C. 1131 et*  
13                   *seq.) (including regulations promulgated under*  
14                   *that Act) as in effect on the date of enactment*  
15                   *of this Act; or*

16                   (B) *applicable Federal wildlife protection*  
17                   *laws as provided in section 406(a)(2).*

18           (2) *Perpetual preservation of the national forest*  
19           *and wilderness character of the Area under this title.*

20           (3) *Rights in the management of the Area as*  
21           *specified in section 407, including—*

22                   (A) *the right to consent or withhold consent*  
23                   *to a new use;*

24                   (B) *the right to consultation regarding a*  
25                   *modified use;*



1           (C) the right to consultation regarding the  
2 management and preservation of the Area; and

3           (D) the right to dispute resolution proce-  
4 dures.

5           (4) Exclusive authority, in accordance with the  
6 customs and laws of the Pueblo, to administer access  
7 to the Area for traditional or cultural uses by mem-  
8 bers of the Pueblo and of other federally-recognized  
9 Indian tribes.

10           (5) Such other rights and interests as are recog-  
11 nized in sections 404, 405(c), 407, 408, and 409.

12           (b) ACCESS.— Except as provided in subsection (a)(4),  
13 access to and use of the Area for all other purposes shall  
14 continue to be administered by the Secretary.

15           (c) COMPENSABLE INTEREST.—

16           (1) IN GENERAL.—If, by an Act of Congress en-  
17 acted after the date of enactment of this Act, Congress  
18 diminishes the national forest or wilderness designa-  
19 tion of the Area by authorizing a use prohibited by  
20 section 404(e) in all or any portion of the Area, or  
21 denies the Pueblo access for any traditional or cul-  
22 tural use in all or any portion of the Area—

23           (A) the United States shall compensate the  
24 Pueblo as if the Pueblo held a fee title interest  
25 in the affected portion of the Area and as though

1           *the United States had acquired such an interest*  
 2           *by legislative exercise of the power of eminent do-*  
 3           *main; and*

4                   *(B) the restrictions of sections 404(e) and*  
 5                   *406(a) shall be disregarded in determining just*  
 6                   *compensation owed to the Pueblo.*

7           (2) *EFFECT.*—*Any compensation made to the*  
 8           *Pueblo under paragraph (c) shall not affect the extin-*  
 9           *guishment of claims under section 410.*

10 **SEC. 406. LIMITATIONS ON PUEBLO RIGHTS AND INTER-**  
 11 **ESTS IN THE AREA.**

12           (a) *LIMITATIONS.*—*The rights and interests of the*  
 13 *Pueblo recognized in this title do not include—*

14                   (1) *any right to sell, grant, lease, convey, encum-*  
 15                   *ber, or exchange land or any interest in land in the*  
 16                   *Area (and any such conveyance shall not have valid-*  
 17                   *ity in law or equity);*

18                   (2) *any exemption from applicable Federal wild-*  
 19                   *life protection laws;*

20                   (3) *any right to engage in a use prohibited by*  
 21                   *section 404(e); or*

22                   (4) *any right to exclude persons or governmental*  
 23                   *entities from the Area.*

24           (b) *EXCEPTION.*—*No person who exercises traditional*  
 25 *or cultural use rights as authorized by section 405(a)(4)*

1 *may be prosecuted for a Federal wildlife offense requiring*  
2 *proof of a violation of a State law (including regulations).*

3 **SEC. 407. MANAGEMENT OF THE AREA.**

4 (a) *PROCESS.—*

5 (1) *IN GENERAL.—The Secretary shall consult*  
6 *with the Pueblo not less than twice each year, unless*  
7 *otherwise mutually agreed, concerning protection,*  
8 *preservation, and management of the Area (including*  
9 *proposed new uses and modified uses in the Area and*  
10 *authorizations that are anticipated during the next 6*  
11 *months and were approved in the preceding 6*  
12 *months).*

13 (2) *NEW USES.—*

14 (A) *REQUEST FOR CONSENT AFTER CON-*  
15 *SULTATION.—*

16 (i) *DENIAL OF CONSENT.—If the Pueb-*  
17 *lo denies consent for a new use within 30*  
18 *days after completion of the consultation*  
19 *process, the Secretary shall not proceed with*  
20 *the new use.*

21 (ii) *GRANTING OF CONSENT.—If the*  
22 *Pueblo consents to the new use in writing or*  
23 *fails to respond within 30 days after com-*  
24 *pletion of the consultation process, the Sec-*  
25 *retary may proceed with the notice and*

1           *comment process and the environmental*  
2           *analysis.*

3           *(B) FINAL REQUEST FOR CONSENT.—*

4                 *(i) REQUEST.—Before the Secretary*  
5                 *(or a designee) signs a record of decision or*  
6                 *decision notice for a proposed new use, the*  
7                 *Secretary shall again request the consent of*  
8                 *the Pueblo.*

9                 *(ii) DENIAL OF CONSENT.—If the*  
10                *Pueblo denies consent for a new use within*  
11                *30 days after receipt by the Pueblo of the*  
12                *proposed record of decision or decision no-*  
13                *tice, the new use shall not be authorized.*

14                *(iii) FAILURE TO RESPOND.—If the*  
15                *Pueblo fails to respond to the consent re-*  
16                *quest within 30 days after receipt of the*  
17                *proposed record of decision or decision*  
18                *notice—*

19                         *(I) the Pueblo shall be deemed to*  
20                         *have consented to the proposed record*  
21                         *of decision or decision notice; and*

22                         *(II) the Secretary may proceed to*  
23                         *issue the final record of decision or de-*  
24                         *cision notice.*

25            *(3) PUBLIC INVOLVEMENT.—*

1           (A) *IN GENERAL.*—*With respect to a pro-*  
2           *posed new use or modified use, the public shall*  
3           *be provided notice of—*

4                   (i) *the purpose and need for the pro-*  
5                   *posed new use or modified use;*

6                   (ii) *the role of the Pueblo in the deci-*  
7                   *sionmaking process; and*

8                   (iii) *the position of the Pueblo on the*  
9                   *proposal.*

10           (B) *COURT CHALLENGE.*—*Any person may*  
11           *bring a civil action in the United States District*  
12           *Court for the District of New Mexico to challenge*  
13           *a determination by the Secretary concerning*  
14           *whether a use constitutes a new use or a modi-*  
15           *fied use.*

16           (b) *EMERGENCIES AND EMERGENCY CLOSURE OR-*  
17           *DERS.*—

18                   (1) *AUTHORITY.*—*The Secretary shall retain the*  
19                   *authority of the Secretary to manage emergency situ-*  
20                   *ations, to—*

21                           (A) *provide for public safety; and*

22                           (B) *issue emergency closure orders in the*  
23                   *Area subject to applicable law.*

1           (2) *NOTICE.*—*The Secretary shall notify the*  
 2 *Pueblo regarding emergencies, public safety issues,*  
 3 *and emergency closure orders as soon as practicable.*

4           (3) *NO CONSENT.*—*An action of the Secretary*  
 5 *described in paragraph (1) shall not require the con-*  
 6 *sent of the Pueblo.*

7           (c) *DISPUTES INVOLVING FOREST SERVICE MANAGE-*  
 8 *MENT AND PUEBLO TRADITIONAL USES.*—

9           (1) *IN GENERAL.*—*In a case in which the man-*  
 10 *agement of the Area by the Secretary conflicts with a*  
 11 *traditional or cultural use, if the conflict does not*  
 12 *pertain to a new use subject to the process specified*  
 13 *in subsection (a)(2), the process for dispute resolution*  
 14 *specified in this subsection shall apply.*

15           (2) *DISPUTE RESOLUTION PROCESS.*—

16           (A) *IN GENERAL.*—*In the case of a conflict*  
 17 *described in paragraph (1)—*

18                   (i) *the party identifying the conflict*  
 19 *shall notify the other party in writing ad-*  
 20 *dressed to the Governor of the Pueblo or the*  
 21 *Regional Forester, as appropriate, speci-*  
 22 *fying the nature of the dispute; and*

23                   (ii) *the Governor of the Pueblo or the*  
 24 *Regional Forester shall attempt to resolve*  
 25 *the dispute for a period of at least 30 days*

1           *after notice has been provided before bring-*  
 2           *ing a civil action in the United States Dis-*  
 3           *trict Court for the District of New Mexico.*

4           *(B) DISPUTES REQUIRING IMMEDIATE RES-*  
 5           *OLUTION.—In the case of a conflict that requires*  
 6           *immediate resolution to avoid imminent, sub-*  
 7           *stantial, and irreparable harm—*

8                   *(i) the party identifying the conflict*  
 9                   *shall notify the other party and seek to re-*  
 10                   *solve the dispute within 3 days of the date*  
 11                   *of notification; and*

12                   *(ii) if the parties are unable to resolve*  
 13                   *the dispute within 3 days—*

14                   *(I) either party may bring a civil*  
 15                   *action for immediate relief in the*  
 16                   *United States District Court for the*  
 17                   *District of New Mexico; and*

18                   *(II) the procedural requirements*  
 19                   *specified in subparagraph (A) shall not*  
 20                   *apply.*

21 **SEC. 408. JURISDICTION OVER THE AREA.**

22           *(a) CRIMINAL JURISDICTION.—*

23                   *(1) IN GENERAL.—Notwithstanding any other*  
 24                   *provision of law, jurisdiction over crimes committed*

1       *in the Area shall be allocated as provided in this*  
2       *paragraph.*

3               (2) *JURISDICTION OF THE PUEBLO.—The Pueblo*  
4       *shall have jurisdiction over an offense committed by*  
5       *a member of the Pueblo or of another federally-recog-*  
6       *nized Indian tribe who is present in the Area with*  
7       *the permission of the Pueblo under section 405(a)(4).*

8               (3) *JURISDICTION OF THE UNITED STATES.—The*  
9       *United States shall have jurisdiction over—*

10              (A) *an offense described in section 1153 of*  
11       *title 18, United States Code, committed by a*  
12       *member of the Pueblo or another federally-recog-*  
13       *nized Indian tribe;*

14              (B) *an offense committed by any person in*  
15       *violation of the laws (including regulations) per-*  
16       *taining to the protection and management of na-*  
17       *tional forests;*

18              (C) *enforcement of Federal criminal laws of*  
19       *general applicability; and*

20              (D) *any other offense committed by a mem-*  
21       *ber of the Pueblo against a person not a member*  
22       *of the Pueblo.*

23               (4) *JURISDICTION OF THE STATE OF NEW MEX-*  
24       *ICO.—The State of New Mexico shall have jurisdiction*



1        *over an offense under the law of the State committed*  
2        *by a person not a member of the Pueblo.*

3            (5) *OVERLAPPING JURISDICTION.—To the extent*  
4        *that the respective allocations of jurisdiction over the*  
5        *Area under paragraphs (2), (3), and (4) overlap, the*  
6        *governments shall have concurrent jurisdiction.*

7            (6) *FEDERAL USE OF STATE LAW.—Under the*  
8        *jurisdiction of the United States described in para-*  
9        *graph (3)(D), Federal law shall incorporate any of-*  
10       *fense defined and punishable under State law that is*  
11       *not so defined under Federal law.*

12        (b) *CIVIL JURISDICTION.—*

13            (1) *IN GENERAL.—Except as provided in para-*  
14       *graphs (2) and (3), the United States, the State of*  
15       *New Mexico, and local public bodies shall have the*  
16       *same civil adjudicatory, regulatory, and taxing juris-*  
17       *isdiction over the Area as was exercised by those enti-*  
18       *ties on the day before the date of enactment of this*  
19       *Act.*

20            (2) *JURISDICTION OF THE PUEBLO.—*

21            (A) *IN GENERAL.—The Pueblo shall have*  
22        *exclusive civil adjudicatory jurisdiction over—*

23                    (i) *a dispute involving only members*  
24                    *of the Pueblo;*

1                   (ii) a civil action brought by the Pueb-  
2                   lo against a member of the Pueblo; and

3                   (iii) a civil action brought by the  
4                   Pueblo against a member of another feder-  
5                   ally-recognized Indian tribe for a violation  
6                   of an understanding between the Pueblo and  
7                   the other tribe regarding use of or access to  
8                   the Area for traditional or cultural uses.

9                   (B) *REGULATORY JURISDICTION.*—The  
10                  Pueblo shall have no regulatory jurisdiction over  
11                  the Area, except that the Pueblo shall have exclu-  
12                  sive authority to—

13                   (i) regulate traditional or cultural uses  
14                   by the members of the Pueblo and admin-  
15                   ister access to the Area by other federally-  
16                   recognized Indian tribes for traditional or  
17                   cultural uses, to the extent such regulation  
18                   is consistent with this title; and

19                   (ii) regulate hunting and trapping in  
20                   the Area by members of the Pueblo, to the  
21                   extent that the hunting or trapping is re-  
22                   lated to traditional or cultural uses, except  
23                   that such hunting and trapping outside of  
24                   that portion of the Area in sections 13, 14,  
25                   23, 24, and the northeast quarter of section



1           *latory or any other form of jurisdiction, over the*  
 2           *subdivisions and property interests therein, and*  
 3           *the laws of the Pueblo shall not apply to the sub-*  
 4           *divisions.*

5           *(B) STATE JURISDICTION.—The jurisdiction*  
 6           *of the State of New Mexico and local public bod-*  
 7           *ies over the subdivisions and property interests*  
 8           *therein shall continue in effect, except that on*  
 9           *application of the Pueblo a tract comprised of*  
 10           *approximately 35 contiguous, nonsubdivided*  
 11           *acres in the northern section of Evergreen Hills*  
 12           *owned in fee by the Pueblo at the time of enact-*  
 13           *ment of this Act, shall be transferred to the*  
 14           *United States and held in trust for the Pueblo by*  
 15           *the United States and administered by the Sec-*  
 16           *retary of the Interior.*

17           *(3) LIMITATIONS ON TRUST LAND.—Trust land*  
 18           *described in paragraph (2)(B) shall be subject to all*  
 19           *limitations on use pertaining to the Area contained*  
 20           *in this title.*

21           *(b) PIEDRA LISA.—*

22           *(1) IN GENERAL.—The Piedra Lisa tract is ex-*  
 23           *cluded from the Area.*

24           *(2) DECLARATION OF TRUST TITLE.—The Piedra*  
 25           *Lisa tract—*

1           (A) shall be transferred to the United  
2 States;

3           (B) is declared to be held in trust for the  
4 Pueblo by the United States; and

5           (C) shall be administered by the Secretary  
6 of the Interior subject to all limitations on use  
7 pertaining to the Area contained in this title.

8           (3) *APPLICABILITY OF CERTAIN RESTRICTION.*—  
9 The restriction contained in section 406(a)(4) shall  
10 not apply outside of Forest Service System trails.

11          (c) *CREST FACILITIES.*—

12           (1) *IN GENERAL.*—The land on which the crest  
13 facilities are located is excluded from the Area.

14           (2) *JURISDICTION.*—The Pueblo shall have no  
15 civil or criminal jurisdiction for any purpose, includ-  
16 ing adjudicatory, taxing, zoning, regulatory or any  
17 other form of jurisdiction, over the land on which the  
18 crest facilities are located and property interests  
19 therein, and the laws of the Pueblo, shall not apply  
20 to that land. The preexisting jurisdictional status of  
21 that land shall continue in effect.

22          (d) *SPECIAL USE PERMIT AREA.*—

23           (1) *IN GENERAL.*—The land described in the spe-  
24 cial use permit is excluded from the Area.

25           (2) *JURISDICTION.*—

1           (A) *IN GENERAL.*—*The Pueblo shall have no*  
2           *civil or criminal jurisdiction for any purpose,*  
3           *including adjudicatory, taxing, zoning, regu-*  
4           *latory, or any other form of jurisdiction, over the*  
5           *land described in the special use permit, and the*  
6           *laws of the Pueblo shall not apply to that land.*

7           (B) *PREEXISTING STATUS.*—*The preexisting*  
8           *jurisdictional status of that land shall continue*  
9           *in effect.*

10          (3) *AMENDMENT TO PLAN.*—*In the event the spe-*  
11          *cial use permit, during its existing term or any fu-*  
12          *ture terms or extensions, requires amendment to in-*  
13          *clude other land in the Area necessary to realign the*  
14          *existing or any future replacement tram line, associ-*  
15          *ated structures, or facilities, the land subject to that*  
16          *amendment shall thereafter be excluded from the Area*  
17          *and shall have the same status under this title as the*  
18          *land currently described in the special use permit.*

19          (4) *LAND DEDICATED TO AERIAL TRAMWAY AND*  
20          *RELATED USES.*—*Any land dedicated to aerial tram-*  
21          *way and related uses and associated facilities that are*  
22          *excluded from the special use permit through expira-*  
23          *tion, termination or the amendment process shall*  
24          *thereafter be included in the Area, but only after final*  
25          *agency action no longer subject to any appeals.*

1       (e) *LA LUZ TRACT.*—

2             (1) *IN GENERAL.*—*The La Luz tract now owned*  
3 *in fee by the Pueblo is excluded from the Area and,*  
4 *on application by the Pueblo, shall be transferred to*  
5 *the United States and held in trust for the Pueblo by*  
6 *the United States and administered by the Secretary*  
7 *of the Interior subject to all limitations on use per-*  
8 *taining to the Area contained in this title.*

9             (2) *NONAPPLICABILITY OF CERTAIN RESTRIC-*  
10 *TION.*—*The restriction contained in section 406(a)(4)*  
11 *shall not apply outside of Forest Service System*  
12 *trails.*

13       (f) *EVERGREEN HILLS ACCESS.*—*The Secretary shall*  
14 *ensure that Forest Service Road 333D, as depicted on the*  
15 *map, is maintained in an adequate condition in accordance*  
16 *with section 1323(a) of the Alaska National Interest Lands*  
17 *Conservation Act (16 U.S.C. 3210(a)).*

18       (g) *PUEBLO FEE LAND.*—*Those properties not specifi-*  
19 *cally addressed in subsections (a) or (e) that are owned in*  
20 *fee by the Pueblo within the subdivisions are excluded from*  
21 *the Area and shall be subject to the jurisdictional provisions*  
22 *of subsection (a).*

23       (h) *RIGHTS-OF-WAY.*—

24             (1) *ROAD RIGHTS-OF-WAY.*—

1           (A) *IN GENERAL.*—*In accordance with the*  
2 *Pueblo having given its consent in the Settlement*  
3 *Agreement, the Secretary of the Interior shall*  
4 *grant to the County of Bernalillo, New Mexico,*  
5 *in perpetuity, the following irrevocable rights-of-*  
6 *way for roads identified on the map in order to*  
7 *provide for public access to the subdivisions, the*  
8 *special use permit land and facilities, the other*  
9 *leasehold and easement rights and interests of the*  
10 *Sandia Peak Tram Company and its affiliates,*  
11 *the Sandia Heights South Subdivision, and the*  
12 *Area—*

13                   (i) *a right-of-way for Tramway Road;*

14                   (ii) *a right-of-way for Juniper Hill*  
15 *Road North;*

16                   (iii) *a right-of-way for Juniper Hill*  
17 *Road South;*

18                   (iv) *a right-of-way for Sandia Heights*  
19 *Road; and*

20                   (v) *a right-of-way for Juan Tabo Can-*  
21 *yon Road (Forest Road No. 333).*

22           (B) *CONDITIONS.*—*The road rights-of-way*  
23 *shall be subject to the following conditions:*

24                   (i) *Such rights-of-way may not be ex-*  
25 *panded or otherwise modified without the*



1           *Pueblo's written consent, but road mainte-*  
2           *nance to the rights-of-way shall not be sub-*  
3           *ject to Pueblo consent.*

4           *(ii) The rights-of-way shall not author-*  
5           *ize uses for any purpose other than roads*  
6           *without the Pueblo's written consent.*

7           *(iii) Except as provided in the Settle-*  
8           *ment Agreement, existing rights-of-way or*  
9           *leasehold interests and obligations held by*  
10          *the Sandia Peak Tram Company and its*  
11          *affiliates, shall be preserved, protected, and*  
12          *unaffected by this title.*

13          (2) *UTILITY RIGHTS-OF-WAY.—In accordance*  
14          *with the Pueblo having given its consent in the Settle-*  
15          *ment Agreement, the Secretary of the Interior shall*  
16          *grant irrevocable utility rights-of-way in perpetuity*  
17          *across Pueblo land to appropriate utility or other*  
18          *service providers serving Sandia Heights Addition,*  
19          *Sandia Heights North Units I, II, and 3, the special*  
20          *use permit land, Tierra Monte, and Valley View*  
21          *Acres, including rights-of-way for natural gas, power,*  
22          *water, telecommunications, and cable television serv-*  
23          *ices. Such rights-of-way shall be within existing util-*  
24          *ity corridors as depicted on the map or, for certain*  
25          *water lines, as described in the existing grant of ease-*

1        *ment to the Sandia Peak Utility Company: Provided,*  
2        *That use of water line easements outside the utility*  
3        *corridors depicted on the map shall not be used for*  
4        *utility purposes other than water lines and associated*  
5        *facilities. Except where above-ground facilities al-*  
6        *ready exist, all new utility facilities shall be installed*  
7        *underground unless the Pueblo agrees otherwise. To*  
8        *the extent that enlargement of existing utility cor-*  
9        *ridors is required for any technologically-advanced*  
10       *telecommunication, television, or utility services, the*  
11       *Pueblo shall not unreasonably withhold agreement to*  
12       *a reasonable enlargement of the easements described*  
13       *above.*

14                (3) *FOREST SERVICE RIGHTS-OF-WAY.—In ac-*  
15        *cordance with the Pueblo having given its consent in*  
16        *the Settlement Agreement, the Secretary of the Inte-*  
17        *rior shall grant to the Forest Service the following ir-*  
18        *revocable rights-of-way in perpetuity for Forest Serv-*  
19        *ice trails crossing land of the Pueblo in order to pro-*  
20        *vide for public access to the Area and through Pueblo*  
21        *land—*

22                        (A) *a right-of-way for a portion of the Crest*  
23                        *Spur Trail (Trail No. 84), crossing a portion of*  
24                        *the La Luz tract, as identified on the map;*

1                   (B) a right-of-way for the extension of the  
2                   Foothills Trail (Trail No. 365A), as identified on  
3                   the map; and

4                   (C) a right-of-way for that portion of the  
5                   Piedra Lisa North-South Trail (Trail No. 135)  
6                   crossing the Piedra Lisa tract.

7 **SEC. 410. EXTINGUISHMENT OF CLAIMS.**

8           (a) *IN GENERAL.*—Except for the rights and interests  
9 in and to the Area specifically recognized in sections 404,  
10 405, 407, 408, and 409, all Pueblo claims to right, title  
11 and interest of any kind, including aboriginal claims, in  
12 and to land within the Area, any part thereof, and property  
13 interests therein, as well as related boundary, survey, tres-  
14 pass, and monetary damage claims, are permanently extin-  
15 guished. The United States' title to the Area is confirmed.

16           (b) *SUBDIVISIONS.*—Any Pueblo claims to right, title  
17 and interest of any kind, including aboriginal claims, in  
18 and to the subdivisions and property interests therein (ex-  
19 cept for land owned in fee by the Pueblo as of the date of  
20 enactment of this Act), as well as related boundary, survey,  
21 trespass, and monetary damage claims, are permanently  
22 extinguished.

23           (c) *SPECIAL USE AND CREST FACILITIES AREAS.*—  
24 Any Pueblo right, title and interest of any kind, including  
25 aboriginal claims, and related boundary, survey, trespass,

1 *and monetary damage claims, are permanently extin-*  
2 *guished in and to—*

3           (1) *the land described in the special use permit;*

4           *and*

5           (2) *the land on which the crest facilities are lo-*  
6 *cated.*

7           (d) *PUEBLO AGREEMENT.—As provided in the Settle-*  
8 *ment Agreement, the Pueblo has agreed to the relinquish-*  
9 *ment and extinguishment of those claims, rights, titles and*  
10 *interests extinguished pursuant to subsection (a), (b) and*  
11 *(c).*

12           (e) *CONSIDERATION.—The recognition of the Pueblo's*  
13 *rights and interests in this title constitutes adequate consid-*  
14 *eration for the Pueblo's agreement to the extinguishment of*  
15 *the Pueblo's claims in this section and the right-of-way*  
16 *grants contained in section 409, and it is the intent of Con-*  
17 *gress that those rights and interests may only be diminished*  
18 *by a future Act of Congress specifically authorizing dimin-*  
19 *ishment of such rights, with express reference to this title.*

20 **SEC. 411. CONSTRUCTION.**

21           (a) *STRICT CONSTRUCTION.—This title recognizes only*  
22 *enumerated rights and interests, and no additional rights,*  
23 *interests, obligations, or duties shall be created by implica-*  
24 *tion.*

1           (b) *EXISTING RIGHTS.*—*To the extent there exist with-*  
2 *in the Area as of the date of enactment of this Act any*  
3 *valid private property rights associated with private land*  
4 *that are not otherwise addressed in this title, such rights*  
5 *are not modified or otherwise affected by this title, nor is*  
6 *the exercise of any such right subject to the Pueblo’s right*  
7 *to withhold consent to new uses in the Area as set forth*  
8 *in section 405(a)(3)(A).*

9           (c) *NOT PRECEDENT.*—*The provisions of this title cre-*  
10 *ating certain rights and interests in the National Forest*  
11 *System are uniquely suited to resolve the Pueblo’s claim*  
12 *and the geographic and societal situation involved, and*  
13 *shall not be construed as precedent for any other situation*  
14 *involving management of the National Forest System.*

15           (d) *FISH AND WILDLIFE.*—*Except as provided in sec-*  
16 *tion 408(b)(2)(B), nothing in this title shall be construed*  
17 *as affecting the responsibilities of the State of New Mexico*  
18 *with respect to fish and wildlife, including the regulation*  
19 *of hunting, fishing, or trapping within the Area.*

20           (e) *FEDERAL LAND POLICY AND MANAGEMENT ACT.*—  
21 *Section 316 of the Federal Land Policy and Management*  
22 *Act of 1976 (43 U.S.C. 1746) is amended by adding at the*  
23 *end the following: “Any corrections authorized by this sec-*  
24 *tion which affect the boundaries of, or jurisdiction over,*  
25 *land administered by another Federal agency shall be made*

1 *only after consultation with, and the approval of, the head*  
 2 *of such other agency.”*

3 **SEC. 412. JUDICIAL REVIEW.**

4 (a) *ENFORCEMENT.*—*A civil action to enforce the pro-*  
 5 *visions of this title may be brought to the extent permitted*  
 6 *under chapter 7 of title 5, United States Code. Judicial re-*  
 7 *view shall be based on the administrative record and subject*  
 8 *to the applicable standard of review set forth in section 706*  
 9 *of title 5, United States Code.*

10 (b) *WAIVER.*—*A civil action may be brought against*  
 11 *the Pueblo for declaratory judgment or injunctive relief*  
 12 *under this title, but no money damages, including costs or*  
 13 *attorney’s fees, may be imposed on the Pueblo as a result*  
 14 *of such judicial action.*

15 (c) *VENUE.*—*Venue for any civil action provided for*  
 16 *in this section, as well as any civil action to contest the*  
 17 *constitutionality of this title, shall lie only in the United*  
 18 *States District Court for the District of New Mexico.*

19 **SEC. 413. PROVISIONS RELATING TO CONTRIBUTIONS AND**  
 20 **LAND EXCHANGE.**

21 (a) *CONTRIBUTIONS.*—

22 (1) *IN GENERAL.*—*The Secretary may accept*  
 23 *contributions from the Pueblo, or from other persons*  
 24 *or governmental entities—*

1           (A) to perform and complete a survey of the  
2           Area; or

3           (B) to carry out any other project or activ-  
4           ity for the benefit of the Area in accordance with  
5           this title.

6           (2) *DEADLINE.*—Not later than 1 year after the  
7           date of enactment of this Act, the Secretary shall com-  
8           plete the survey of the Area under paragraph (1)(A).

9           (b) *LAND EXCHANGE.*—

10           (1) *IN GENERAL.*—Not later than 180 days after  
11           the date of enactment of this Act, after consultation  
12           with the Pueblo, the Secretary shall, in accordance  
13           with applicable laws, prepare and offer a land ex-  
14           change of National Forest land outside the Area and  
15           contiguous to the northern boundary of the Pueblo's  
16           Reservation within sections 10, 11, and 14 of T12N,  
17           R4E, N.M.P.M., Sandoval County, New Mexico ex-  
18           cluding wilderness land, for land owned by the Pueblo  
19           in the Evergreen Hills subdivision in Sandoval Coun-  
20           ty contiguous to National Forest land, and the La  
21           Luz tract in Bernalillo County.

22           (2) *ACCEPTANCE OF PAYMENT.*—Notwith-  
23           standing section 206(b) of the Federal Land Policy  
24           and Management Act (43 U.S.C. 1716(b)), the Sec-  
25           retary may either make or accept a cash equalization

1       *payment in excess of 25 percent of the total value of*  
2       *the land or interests transferred out of Federal owner-*  
3       *ship.*

4           (3) *FUNDS RECEIVED.*—*Any funds received by*  
5       *the Secretary as a result of the exchange shall be de-*  
6       *posited in the fund established under the Act of De-*  
7       *cember 4, 1967, known as the Sisk Act (16 U.S.C.*  
8       *484a), and shall be available to purchase non-Federal*  
9       *land within or adjacent to the National Forests in the*  
10       *State of New Mexico.*

11           (4) *TREATMENT OF LAND EXCHANGED OR CON-*  
12       *VEYED.*—*All land exchanged or conveyed to the Pueb-*  
13       *lo is declared to be held in trust for the Pueblo by the*  
14       *United States and added to the Pueblo's Reservation*  
15       *subject to all existing and outstanding rights and*  
16       *shall remain in its natural state and shall not be sub-*  
17       *ject to commercial development of any kind. Land ex-*  
18       *changed or conveyed to the Forest Service shall be*  
19       *subject to all limitations on use pertaining to the*  
20       *Area under this title.*

21           (5) *FAILURE TO MAKE OFFER.*—*If the land ex-*  
22       *change offer is not made by the date that is 180 days*  
23       *after the date of enactment of this Act, the Secretary*  
24       *shall submit to the Committee on Energy and Natural*  
25       *Resources of the United States Senate and the Com-*



1 *mittee on Resources of the United States House of*  
2 *Representatives, a report explaining the reasons for*  
3 *the failure to make the offer including an assessment*  
4 *of the need for any additional legislation that may be*  
5 *necessary for the exchange. If additional legislation is*  
6 *not necessary, the Secretary, consistent with this sec-*  
7 *tion, should proceed with the exchange pursuant to*  
8 *existing law.*

9 *(c) LAND ACQUISITION AND OTHER COMPENSATION.—*

10 *(1) IN GENERAL.—The Secretary may acquire*  
11 *land owned by the Pueblo within the Evergreen Hills*  
12 *Subdivision in Sandoval County or any other pri-*  
13 *vately held land inside of the exterior boundaries of*  
14 *the Area. The boundaries of the Cibola National For-*  
15 *est and the Area shall be adjusted to encompass any*  
16 *land acquired pursuant to this section.*

17 *(2) PIEDRA LISA TRACT.—Subject to the avail-*  
18 *ability of appropriations, the Secretary shall com-*  
19 *pensate the Pueblo for the fair market value of—*

20 *(A) the right-of-way established pursuant to*  
21 *section 409(h)(3)(C); and*

22 *(B) the conservation easement established by*  
23 *the limitations on use of the Piedra Lisa tract*  
24 *pursuant to section 409(b)(2).*

25 *(d) REIMBURSEMENT OF CERTAIN COSTS.—*

1           (1) *IN GENERAL.*—*The Pueblo, the County of*  
2           *Bernalillo, New Mexico, and any person that owns or*  
3           *has owned property inside of the exterior boundaries*  
4           *of the Area as designated on the map, and who has*  
5           *incurred actual and direct costs as a result of partici-*  
6           *parting in the case of Pueblo of Sandia v. Babbitt,*  
7           *Civ. No. 94–2624 HHG (D.D.C.), or other pro-*  
8           *ceedings directly related to resolving the issues liti-*  
9           *gated in that case, may apply for reimbursement in*  
10          *accordance with this section. Costs directly related to*  
11          *such participation which shall qualify for reimburse-*  
12          *ment shall be—*

13                   (A) *dues or payments to a homeowner asso-*  
14                   *ciation for the purpose of legal representation;*  
15                   *and*

16                   (B) *legal fees and related expenses.*

17          (2) *TREATMENT OF REIMBURSEMENT.*—*Any re-*  
18          *imbursement provided in this subsection shall be in*  
19          *lieu of that which might otherwise be available pursu-*  
20          *ant to the Equal Access to Justice Act (24 U.S.C.*  
21          *2412).*

22          (3) *PAYMENTS.*—*The Secretary of the Treasury*  
23          *shall make reimbursement payments as provided in*  
24          *this section out of any money not otherwise appro-*

1        *priated as provided in advance in appropriations*  
2        *Acts.*

3            (4) *APPLICATIONS.*—*Not later than 180 days*  
4        *after the date of enactment of this Act, applications*  
5        *for reimbursement shall be filed with the Department*  
6        *of the Treasury, Financial Management Service,*  
7        *Washington, D.C.*

8            (5) *MAXIMUM REIMBURSEMENT.*—*No party shall*  
9        *be reimbursed in excess of \$750,000 under this sec-*  
10       *tion, and the total amount reimbursed in accordance*  
11       *with this section shall not exceed \$3,000,000.*

12        **SEC. 414. AUTHORIZATION OF APPROPRIATIONS.**

13        *There are authorized to be appropriated such sums as*  
14        *are necessary to carry out this title, including such sums*  
15        *as are necessary for the Forest Service to carry out respon-*  
16        *sibilities of the Forest Service in accordance with section*  
17        *413(c).*

18        **SEC. 415. EFFECTIVE DATE.**

19        *The provisions of this title shall take effect imme-*  
20        *diately on enactment of this Act.*

1       **TITLE V—OTTAWA NATIONAL**  
2       **WILDLIFE REFUGE COMPLEX**

3       **SEC. 501. SHORT TITLE.**

4           *This title may be cited as the “Ottawa National Wild-*  
5 *life Refuge Complex Expansion and Detroit River Inter-*  
6 *national Wildlife Refuge Expansion Act”.*

7       **SEC. 502. DEFINITIONS.**

8           *In this title:*

9                   (1) *INTERNATIONAL REFUGE.*—*The term “Inter-*  
10 *national Refuge” means the Detroit River Inter-*  
11 *national Wildlife Refuge established by section 5(a) of*  
12 *the Detroit River International Wildlife Refuge Es-*  
13 *tablishment Act (16 U.S.C. 668dd note; 115 Stat.*  
14 *894).*

15                   (2) *REFUGE COMPLEX.*—*The term “Refuge Com-*  
16 *plex” means the Ottawa National Wildlife Refuge*  
17 *Complex and the lands and waters in the complex, as*  
18 *described in the document entitled “The Comprehen-*  
19 *sive Conservation Plan for the Ottawa National Wild-*  
20 *life Refuge Complex” and dated September 22, 2000,*  
21 *including—*

22                           (A) *the Ottawa National Wildlife Refuge,*  
23 *established by the Secretary in accordance with*  
24 *the Migratory Bird Conservation Act (16 U.S.C.*  
25 *715 et seq.);*

1           (B) *the West Sister Island National Wildlife*  
 2 *Refuge established by Executive Order No. 7937,*  
 3 *dated August 2, 1937; and*

4           (C) *the Cedar Point National Wildlife Ref-*  
 5 *uge established by the Secretary in accordance*  
 6 *with the Migratory Bird Conservation Act (16*  
 7 *U.S.C. 715 et seq.).*

8           (3) *SECRETARY.—The term “Secretary” means*  
 9 *the Secretary of the Interior.*

10          (4) *WESTERN BASIN.—*

11           (A) *IN GENERAL.—The term “western*  
 12 *basin” means the western basin of Lake Erie,*  
 13 *consisting of the land and water in the water-*  
 14 *sheds of Lake Erie extending from the watershed*  
 15 *of the Lower Detroit River in the State of Michi-*  
 16 *gan to and including Sandusky Bay and the wa-*  
 17 *tershed of Sandusky Bay in the State of Ohio.*

18           (B) *INCLUSION.—The term ‘western basin’*  
 19 *includes the Bass Island archipelago in the State*  
 20 *of Ohio.*

21 **SEC. 503. EXPANSION OF BOUNDARIES.**

22          (a) *REFUGE COMPLEX BOUNDARIES.—*

23           (1) *EXPANSION.—The boundaries of the Refuge*  
 24 *Complex are expanded to include land and water in*  
 25 *the State of Ohio from the eastern boundary of*

1 *Maumee Bay State Park to the eastern boundary of*  
2 *the Darby Unit (including the Bass Island archi-*  
3 *pelago), as depicted on the map entitled “Ottawa Na-*  
4 *tional Wildlife Refuge Complex Expansion and De-*  
5 *troit River International Wildlife Refuge Expansion*  
6 *Act” and dated September 6, 2002.*

7 (2) *AVAILABILITY OF MAP.—The map referred to*  
8 *in paragraph (1) shall be available for inspection in*  
9 *appropriate offices of the United States Fish and*  
10 *Wildlife Service.*

11 (b) *BOUNDARY REVISIONS.—The Secretary may make*  
12 *such revisions of the boundaries of the Refuge Complex as*  
13 *the Secretary determines to be appropriate—*

14 (1) *to facilitate the acquisition of property with-*  
15 *in the Refuge Complex; or*

16 (2) *to carry out this title.*

17 (c) *ACQUISITION.—*

18 (1) *IN GENERAL.—Subject to paragraph (2), the*  
19 *Secretary may acquire by donation, purchase with*  
20 *donated or appropriated funds, or exchange the land*  
21 *and water, and interests in land and water (includ-*  
22 *ing conservation easements), within the boundaries of*  
23 *the Refuge Complex.*

24 (2) *CONSENT.—No land, water, or interest in*  
25 *land or water described in paragraph (1) may be ac-*

1        *quired by the Secretary without the consent of the*  
2        *owner of the land, water, or interest.*

3        *(d) TRANSFERS FROM OTHER AGENCIES.—Adminis-*  
4        *trative jurisdiction over any Federal property that is lo-*  
5        *cated within the boundaries of the Refuge Complex and*  
6        *under the administrative jurisdiction of an agency of the*  
7        *United States other than the Department of the Interior*  
8        *may, with the concurrence of the head of the administering*  
9        *agency, be transferred without consideration to the Sec-*  
10       *retary for the purpose of this title.*

11       *(e) STUDY OF ASSOCIATED AREA.—*

12                *(1) IN GENERAL.—The Secretary, acting through*  
13        *the Director of the United States Fish and Wildlife*  
14        *Service, shall conduct a study of fish and wildlife*  
15        *habitat and aquatic and terrestrial communities in*  
16        *and around the 2 dredge spoil disposal sites that*  
17        *are—*

18                        *(A) referred to by the Toledo-Lucas County*  
19        *Port Authority as “Port Authority Facility*  
20        *Number Three” and “Grassy Island”, respec-*  
21        *tively; and*

22                        *(B) located within Toledo Harbor near the*  
23        *mouth of the Maumee River.*

24                *(2) REPORT.—Not later than 18 months after the*  
25        *date of enactment of this Act, the Secretary shall—*

1                   (A) complete the study under paragraph  
2                   (1); and

3                   (B) submit to Congress a report on the re-  
4                   sults of the study.

5 **SEC. 504. EXPANSION OF INTERNATIONAL REFUGE BOUND-**  
6 **ARIES.**

7           *The southern boundary of the International Refuge is*  
8 *extended south to include additional land and water in the*  
9 *State of Michigan located east of Interstate Route 75, ex-*  
10 *tending from the southern boundary of Sterling State Park*  
11 *to the Ohio State boundary, as depicted on the map referred*  
12 *to in section 503(a)(1).*

13 **SEC. 505. ADMINISTRATION.**

14           (a) *REFUGE COMPLEX.—*

15                   (1) *IN GENERAL.—The Secretary shall admin-*  
16 *ister all federally owned land, water, and interests in*  
17 *land and water that are located within the bound-*  
18 *aries of the Refuge Complex in accordance with—*

19                           (A) *the National Wildlife Refuge System*  
20 *Administration Act of 1966 (16 U.S.C. 668dd et*  
21 *seq.); and*

22                           (B) *this title.*

23                   (2) *ADDITIONAL AUTHORITY.—The Secretary*  
24 *may use such additional statutory authority available*  
25 *to the Secretary for the conservation of fish and wild-*



1 *life, and the provision of opportunities for fish- and*  
2 *wildlife-dependent recreation, as the Secretary deter-*  
3 *mines to be appropriate to carry out this title.*

4 *(b) ADDITIONAL PURPOSES.—In addition to the pur-*  
5 *poses of the Refuge Complex under other laws, regulations,*  
6 *executive orders, and comprehensive conservation plans, the*  
7 *Refuge Complex shall be managed—*

8 *(1) to strengthen and complement existing re-*  
9 *source management, conservation, and education pro-*  
10 *grams and activities at the Refuge Complex in a*  
11 *manner consistent with the primary purposes of the*  
12 *Refuge Complex—*

13 *(A) to provide major resting, feeding, and*  
14 *wintering habitats for migratory birds and other*  
15 *wildlife; and*

16 *(B) to enhance national resource conserva-*  
17 *tion and management in the western basin;*

18 *(2) in partnership with nongovernmental and*  
19 *private organizations and private individuals dedi-*  
20 *cated to habitat enhancement, to conserve, enhance,*  
21 *and restore the native aquatic and terrestrial commu-*  
22 *nity characteristics of the western basin (including*  
23 *associated fish, wildlife, and plant species);*

24 *(3) to facilitate partnerships among the United*  
25 *States Fish and Wildlife Service, Canadian national*

1       *and provincial authorities, State and local govern-*  
2       *ments, local communities in the United States and*  
3       *Canada, conservation organizations, and other non-*  
4       *Federal entities to promote public awareness of the re-*  
5       *sources of the western basin; and*

6               *(4) to advance the collective goals and priorities*  
7       *that—*

8                       *(A) were established in the report entitled*  
9               *“Great Lakes Strategy 2002—A Plan for the*  
10              *New Millennium”, developed by the United*  
11              *States Policy Committee, comprised of Federal*  
12              *agencies (including the United States Fish and*  
13              *Wildlife Service, the National Oceanic and At-*  
14              *mospheric Administration, the United States Ge-*  
15              *ological Survey, the Forest Service, and the*  
16              *Great Lakes Fishery Commission) and State*  
17              *governments and tribal governments in the Great*  
18              *Lakes basin; and*

19                      *(B) include the goals of cooperating to pro-*  
20              *tect and restore the chemical, physical, and bio-*  
21              *logical integrity of the Great Lakes basin eco-*  
22              *system.*

23              *(c) PRIORITY USES.—In providing opportunities for*  
24       *compatible fish- and wildlife-dependent recreation, the Sec-*  
25       *retary, in accordance with paragraphs (3) and (4) of sec-*

1 *tion 4(a) of the National Wildlife Refuge System Adminis-*  
2 *tration Act of 1966 (16 U.S.C. 668dd(a)), shall ensure, to*  
3 *the maximum extent practicable, that hunting, trapping,*  
4 *fishing, wildlife observation and photography, and environ-*  
5 *mental education and interpretation are the priority public*  
6 *uses of the Refuge Complex.*

7       (d) *COOPERATIVE AGREEMENTS REGARDING NON-*  
8 *FEDERAL LAND.—To promote public awareness of the re-*  
9 *sources of the western basin and encourage public partici-*  
10 *pation in the conservation of those resources, the Secretary*  
11 *may enter into cooperative agreements with the State of*  
12 *Ohio or Michigan, any political subdivision of the State,*  
13 *or any person for the management, in a manner consistent*  
14 *with this title, of land that—*

15           (1) *is owned by the State, political subdivision,*  
16       *or person; and*

17           (2) *is located within the boundaries of the Refuge*  
18       *Complex.*

19       (e) *USE OF EXISTING GREENWAY AUTHORITY.—The*  
20 *Secretary shall encourage the State of Ohio to use authority*  
21 *under the recreational trails program under section 206 of*  
22 *title 23, United States Code, to provide funding for acquisi-*  
23 *tion and development of trails within the boundaries of the*  
24 *Refuge Complex.*

1 **SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

2 *There are authorized to be appropriated such sums as*  
3 *are necessary—*

4 *(1) to acquire land and water within the Refuge*  
5 *Complex under section 503(c);*

6 *(2) to carry out the study under section 503(e);*  
7 *and*

8 *(3) to develop, operate, and maintain the Refuge*  
9 *Complex.*

10 *This division may be cited as the “Department of the*  
11 *Interior and Related Agencies Appropriations Act, 2003”.*

12 **DIVISION G—LABOR, HEALTH AND HUMAN SERV-**  
13 **ICES, AND EDUCATION, AND RELATED AGEN-**  
14 **CIES APPROPRIATIONS, 2003**

15 *Making appropriations for the Departments of Labor,*  
16 *Health and Human Services, and Education, and re-*  
17 *lated agencies for the fiscal year ending September*  
18 *30, 2003, and for other purposes.*

19 *That the following sums are appropriated, out of any*  
20 *money in the Treasury not otherwise appropriated, for the*  
21 *Departments of Labor, Health and Human Services, and*  
22 *Education, and related agencies for the fiscal year ending*  
23 *September 30, 2003, and for other purposes, namely:*

1            *TITLE I—DEPARTMENT OF LABOR*2            *EMPLOYMENT AND TRAINING ADMINISTRATION*3            *TRAINING AND EMPLOYMENT SERVICES*

4            *For necessary expenses of the Workforce Investment*  
5 *Act, including the purchase and hire of passenger motor*  
6 *vehicles, the construction, alteration, and repair of build-*  
7 *ings and other facilities, and the purchase of real property*  
8 *for training centers as authorized by the Workforce Invest-*  
9 *ment Act and the Women in Apprenticeship and Nontradi-*  
10 *tional Occupations Act; and the National Skill Standards*  
11 *Act of 1994; \$2,657,084,000 plus reimbursements, of which*  
12 *\$1,583,069,000 is available for obligation for the period*  
13 *July 1, 2003 through June 30, 2004; of which*  
14 *\$1,045,465,000 is available for obligation for the period*  
15 *April 1, 2003 through June 30, 2004, including*  
16 *\$1,000,965,000 to carry out chapter 4 of the Workforce In-*  
17 *vestment Act and \$44,500,000 to carry out section 169 of*  
18 *such Act; and of which \$27,550,000 is available for the pe-*  
19 *riod July 1, 2003 through June 30, 2006 for necessary ex-*  
20 *penses of construction, rehabilitation, and acquisition of*  
21 *Job Corps centers: Provided, That \$9,098,000 shall be for*  
22 *carrying out section 172 of the Workforce Investment Act:*  
23 *Provided further, That, notwithstanding any other provi-*  
24 *sion of law or related regulation, \$80,770,000 shall be for*  
25 *carrying out section 167 of the Workforce Investment Act,*

1 *including \$74,965,000 for formula grants, \$4,786,000 for*  
2 *migrant and seasonal housing, and \$1,019,000 for other*  
3 *discretionary purposes: Provided further, That funds pro-*  
4 *vided to carry out section 171(d) of the Workforce Invest-*  
5 *ment Act may be used for demonstration projects that pro-*  
6 *vide assistance to new entrants in the workforce and incum-*  
7 *bent workers: Provided further, That no funds from any*  
8 *other appropriation shall be used to provide meal services*  
9 *at or for Job Corps centers.*

10 *For necessary expenses of the Workforce Investment*  
11 *Act, including the purchase and hire of passenger motor*  
12 *vehicles, the construction, alteration, and repair of build-*  
13 *ings and other facilities, and the purchase of real property*  
14 *for training centers as authorized by the Workforce Invest-*  
15 *ment Act; \$2,463,000,000 plus reimbursements, of which*  
16 *\$2,363,000,000 is available for obligation for the period Oc-*  
17 *tober 1, 2003 through June 30, 2004, and of which*  
18 *\$100,000,000 is available for the period October 1, 2003*  
19 *through June 30, 2006, for necessary expenses of construc-*  
20 *tion, rehabilitation, and acquisition of Job Corps centers.*

21 *COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS*

22 *To carry out title V of the Older Americans Act of*  
23 *1965, as amended, \$440,200,000.*

24 *FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES*

25 *For payments during the current fiscal year of trade*  
26 *adjustment benefit payments and allowances under part I;*

1 *and for training, allowances for job search and relocation,*  
2 *and related State administrative expenses under part II,*  
3 *subchapters B and D, chapter 2, title II of the Trade Act*  
4 *of 1974, as amended, \$972,200,000, together with such*  
5 *amounts as may be necessary to be charged to the subse-*  
6 *quent appropriation for payments for any period subse-*  
7 *quent to September 15 of the current year.*

8 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*

9 *SERVICE OPERATIONS*

10 *For authorized administrative expenses, \$143,452,000,*  
11 *together with not to exceed \$3,475,451,000 (including not*  
12 *to exceed \$1,228,000 which may be used for amortization*  
13 *payments to States which had independent retirement plans*  
14 *in their State employment service agencies prior to 1980),*  
15 *which may be expended from the Employment Security Ad-*  
16 *ministration Account in the Unemployment Trust Fund in-*  
17 *cluding the cost of administering section 51 of the Internal*  
18 *Revenue Code of 1986, as amended, section 7(d) of the Wag-*  
19 *ner-Peyser Act, as amended, the Trade Act of 1974, as*  
20 *amended, the Immigration Act of 1990, and the Immigra-*  
21 *tion and Nationality Act, as amended, and of which the*  
22 *sums available in the allocation for activities authorized by*  
23 *title III of the Social Security Act, as amended (42 U.S.C.*  
24 *502–504), and the sums available in the allocation for nec-*  
25 *essary administrative expenses for carrying out 5 U.S.C.*  
26 *8501–8523, shall be available for obligation by the States*

1 *through December 31, 2003, except that funds used for auto-*  
2 *mation acquisitions shall be available for obligation by the*  
3 *States through September 30, 2005; of which \$143,452,000,*  
4 *together with not to exceed \$773,283,000 of the amount*  
5 *which may be expended from said trust fund, shall be avail-*  
6 *able for obligation for the period July 1, 2003 through June*  
7 *30, 2004, to fund activities under the Act of June 6, 1933,*  
8 *as amended, including the cost of penalty mail authorized*  
9 *under 39 U.S.C. 3202(a)(1)(E) made available to States in*  
10 *lieu of allotments for such purpose: Provided, That to the*  
11 *extent that the Average Weekly Insured Unemployment*  
12 *(AWIU) for fiscal year 2003 is projected by the Department*  
13 *of Labor to exceed 4,526,000, an additional \$28,600,000*  
14 *shall be available for obligation for every 100,000 increase*  
15 *in the AWIU level (including a pro rata amount for any*  
16 *increment less than 100,000) from the Employment Secu-*  
17 *rity Administration Account of the Unemployment Trust*  
18 *Fund: Provided further, That funds appropriated in this*  
19 *Act which are used to establish a national one-stop career*  
20 *center system, or which are used to support the national*  
21 *activities of the Federal-State unemployment insurance*  
22 *programs, may be obligated in contracts, grants or agree-*  
23 *ments with non-State entities: Provided further, That funds*  
24 *appropriated under this Act for activities authorized under*  
25 *the Wagner-Peyser Act, as amended, and title III of the So-*





1 \$56,610,000, which may be expended from the Employment  
2 Security Administration Account in the Unemployment  
3 Trust Fund.

4 *PENSION AND WELFARE BENEFITS ADMINISTRATION*  
5 *SALARIES AND EXPENSES*

6 *For necessary expenses for the Pension and Welfare*  
7 *Benefits Administration, \$117,044,000.*

8 *PENSION BENEFIT GUARANTY CORPORATION*

9 *PENSION BENEFIT GUARANTY CORPORATION FUND*

10 *The Pension Benefit Guaranty Corporation is author-*  
11 *ized to make such expenditures, including financial assist-*  
12 *ance authorized by section 104 of Public Law 96-364, with-*  
13 *in limits of funds and borrowing authority available to*  
14 *such Corporation, and in accord with law, and to make*  
15 *such contracts and commitments without regard to fiscal*  
16 *year limitations as provided by section 104 of the Govern-*  
17 *ment Corporation Control Act, as amended (31 U.S.C.*  
18 *9104), as may be necessary in carrying out the program*  
19 *through September 30, 2003, for such Corporation: Pro-*  
20 *vided, That not to exceed \$13,050,000 shall be available for*  
21 *administrative expenses of the Corporation: Provided fur-*  
22 *ther, That expenses of such Corporation in connection with*  
23 *the termination of pension plans, for the acquisition, pro-*  
24 *tection or management, and investment of trust assets, and*  
25 *for benefits administration services shall be considered as*

1 *non-administrative expenses for the purposes hereof, and ex-*  
2 *cluded from the above limitation.*

3 *EMPLOYMENT STANDARDS ADMINISTRATION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses for the Employment Standards*  
6 *Administration, including reimbursement to State, Federal,*  
7 *and local agencies and their employees for inspection serv-*  
8 *ices rendered, \$383,428,000, together with \$2,029,000 which*  
9 *may be expended from the Special Fund in accordance with*  
10 *sections 39(c), 44(d) and 44(j) of the Longshore and Harbor*  
11 *Workers' Compensation Act: Provided, That \$2,000,000*  
12 *shall be for the development of an alternative system for*  
13 *the electronic submission of reports required to be filed*  
14 *under the Labor-Management Reporting and Disclosure Act*  
15 *of 1959, as amended, and for a computer database of the*  
16 *information for each submission by whatever means, that*  
17 *is indexed and easily searchable by the public via the Inter-*  
18 *net: Provided further, That the Secretary of Labor is au-*  
19 *thorized to accept, retain, and spend, until expended, in*  
20 *the name of the Department of Labor, all sums of money*  
21 *ordered to be paid to the Secretary of Labor, in accordance*  
22 *with the terms of the Consent Judgment in Civil Action*  
23 *No. 91-0027 of the United States District Court for the Dis-*  
24 *trict of the Northern Mariana Islands (May 21, 1992): Pro-*  
25 *vided further, That the Secretary of Labor is authorized to*

1 *establish and, in accordance with 31 U.S.C. 3302, collect*  
2 *and deposit in the Treasury fees for processing applications*  
3 *and issuing certificates under sections 11(d) and 14 of the*  
4 *Fair Labor Standards Act of 1938, as amended (29 U.S.C.*  
5 *211(d) and 214) and for processing applications and*  
6 *issuing registrations under title I of the Migrant and Sea-*  
7 *sonal Agricultural Worker Protection Act (29 U.S.C. 1801*  
8 *et seq.).*

9 *SPECIAL BENEFITS*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For the payment of compensation, benefits, and ex-*  
12 *penses (except administrative expenses) accruing during the*  
13 *current or any prior fiscal year authorized by title 5, chap-*  
14 *ter 81 of the United States Code; continuation of benefits*  
15 *as provided for under the heading “Civilian War Benefits”*  
16 *in the Federal Security Agency Appropriation Act, 1947;*  
17 *the Employees’ Compensation Commission Appropriation*  
18 *Act, 1944; sections 4(c) and 5(f) of the War Claims Act*  
19 *of 1948 (50 U.S.C. App. 2012); and 50 percent of the addi-*  
20 *tional compensation and benefits required by section 10(h)*  
21 *of the Longshore and Harbor Workers’ Compensation Act,*  
22 *as amended, \$163,000,000, together with such amounts as*  
23 *may be necessary to be charged to the subsequent year ap-*  
24 *propriation for the payment of compensation and other ben-*  
25 *efits for any period subsequent to August 15 of the current*  
26 *year: Provided, That amounts appropriated may be used*

1 *under section 8104 of title 5, United States Code, by the*  
2 *Secretary of Labor to reimburse an employer, who is not*  
3 *the employer at the time of injury, for portions of the salary*  
4 *of a reemployed, disabled beneficiary: Provided further,*  
5 *That balances of reimbursements unobligated on September*  
6 *30, 2002, shall remain available until expended for the pay-*  
7 *ment of compensation, benefits, and expenses: Provided fur-*  
8 *ther, That in addition there shall be transferred to this ap-*  
9 *propriation from the Postal Service and from any other cor-*  
10 *poration or instrumentality required under section 8147(c)*  
11 *of title 5, United States Code, to pay an amount for its*  
12 *fair share of the cost of administration, such sums as the*  
13 *Secretary determines to be the cost of administration for*  
14 *employees of such fair share entities through September 30,*  
15 *2003: Provided further, That of those funds transferred to*  
16 *this account from the fair share entities to pay the cost of*  
17 *administration of the Federal Employees' Compensation*  
18 *Act, \$37,657,000 shall be made available to the Secretary*  
19 *as follows: (1) for the operation of and enhancement to the*  
20 *automated data processing systems, including document*  
21 *imaging and conversion to a paperless office, \$24,928,000;*  
22 *(2) for medical bill review and periodic roll management,*  
23 *\$12,027,000; (3) for communications redesign, \$702,000;*  
24 *and (4) the remaining funds shall be paid into the Treasury*  
25 *as miscellaneous receipts: Provided further, That the Sec-*

1 *retary may require that any person filing a notice of injury*  
 2 *or a claim for benefits under chapter 81 of title 5, United*  
 3 *States Code, or 33 U.S.C. 901 et seq., provide as part of*  
 4 *such notice and claim, such identifying information (in-*  
 5 *cluding Social Security account number) as such regula-*  
 6 *tions may prescribe.*

7 *ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES*

8 *OCCUPATIONAL ILLNESS COMPENSATION FUND*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For necessary expenses to administer the Energy Em-*  
 11 *ployees Occupational Illness Compensation Act,*  
 12 *\$104,867,000, to remain available until expended: Pro-*  
 13 *vided, That the Secretary of Labor is authorized to transfer*  
 14 *to any Executive agency with authority under the Energy*  
 15 *Employees Occupational Illness Compensation Act, includ-*  
 16 *ing within the Department of Labor, such sums as may*  
 17 *be necessary in fiscal year 2003 to carry out those authori-*  
 18 *ties: Provided further, That the Secretary may require that*  
 19 *any person filing a claim for benefits under the Act provide*  
 20 *as part of such claim, such identifying information (includ-*  
 21 *ing Social Security account number) as may be prescribed.*

22 *BLACK LUNG DISABILITY TRUST FUND*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *Beginning in fiscal year 2003 and thereafter, such*  
 25 *sums as may be necessary from the Black Lung Disability*  
 26 *Trust Fund, to remain available until expended, for pay-*

1 *ment of all benefits authorized by section 9501(d)(1), (2),*  
 2 *(4), and (7) of the Internal Revenue Code of 1954, as*  
 3 *amended; and interest on advances, as authorized by section*  
 4 *9501(c)(2) of that Act. In addition, the following amounts*  
 5 *shall be available from the Fund for fiscal year 2003 for*  
 6 *expenses of operation and administration of the Black Lung*  
 7 *Benefits program, as authorized by section 9501(d)(5):*  
 8 *\$31,987,000 for transfer to the Employment Standards Ad-*  
 9 *ministration, “Salaries and Expenses”; \$22,952,000 for*  
 10 *transfer to Departmental Management, “Salaries and Ex-*  
 11 *penses”; \$334,000 for transfer to Departmental Manage-*  
 12 *ment, “Office of Inspector General”; and \$356,000 for pay-*  
 13 *ments into miscellaneous receipts for the expenses of the De-*  
 14 *partment of Treasury.*

15 *OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for the Occupational Safety*  
 18 *and Health Administration, \$462,314,000, including not to*  
 19 *exceed \$92,531,000 which shall be the maximum amount*  
 20 *available for grants to States under section 23(g) of the Oc-*  
 21 *cupational Safety and Health Act (the “Act”), which grants*  
 22 *shall be no less than 50 percent of the costs of State occupa-*  
 23 *tional safety and health programs required to be incurred*  
 24 *under plans approved by the Secretary under section 18*  
 25 *of the Act, and including \$18,000,000 for safety and health*

1 standards, of which notwithstanding any other provision  
2 of law, not less than \$2,000,000 is available to provide for  
3 the reissuance of a rule relating to ergonomics by the Sec-  
4 retary of Labor, in accordance with section 6 of the Occupa-  
5 tional Safety and Health Act; and, in addition, notwith-  
6 standing 31 U.S.C. 3302, the Occupational Safety and  
7 Health Administration may retain up to \$750,000 per fis-  
8 cal year of training institute course tuition fees, otherwise  
9 authorized by law to be collected, and may utilize such sums  
10 for occupational safety and health training and education  
11 grants: Provided, That, notwithstanding 31 U.S.C. 3302,  
12 the Secretary of Labor is authorized, during the fiscal year  
13 ending September 30, 2003, to collect and retain fees for  
14 services provided to Nationally Recognized Testing Labora-  
15 tories, and may utilize such sums, in accordance with the  
16 provisions of 29 U.S.C. 9a, to administer national and  
17 international laboratory recognition programs that ensure  
18 the safety of equipment and products used by workers in  
19 the workplace: Provided further, That none of the funds ap-  
20 propriated under this paragraph shall be obligated or ex-  
21 pended to prescribe, issue, administer, or enforce any stand-  
22 ard, rule, regulation, or order under the Act which is appli-  
23 cable to any person who is engaged in a farming operation  
24 which does not maintain a temporary labor camp and em-  
25 ploys 10 or fewer employees: Provided further, That no



1 *funds appropriated under this paragraph shall be obligated*  
2 *or expended to administer or enforce any standard, rule,*  
3 *regulation, or order under the Act with respect to any em-*  
4 *ployer of 10 or fewer employees who is included within a*  
5 *category having an occupational injury lost workday case*  
6 *rate, at the most precise Standard Industrial Classification*  
7 *Code for which such data are published, less than the na-*  
8 *tional average rate as such rates are most recently published*  
9 *by the Secretary, acting through the Bureau of Labor Sta-*  
10 *tistics, in accordance with section 24 of that Act (29 U.S.C.*  
11 *673), except—*

12           (1) *to provide, as authorized by such Act, con-*  
13 *sultation, technical assistance, educational and train-*  
14 *ing services, and to conduct surveys and studies;*

15           (2) *to conduct an inspection or investigation in*  
16 *response to an employee complaint, to issue a citation*  
17 *for violations found during such inspection, and to*  
18 *assess a penalty for violations which are not corrected*  
19 *within a reasonable abatement period and for any*  
20 *willful violations found;*

21           (3) *to take any action authorized by such Act*  
22 *with respect to imminent dangers;*

23           (4) *to take any action authorized by such Act*  
24 *with respect to health hazards;*

1           (5) to take any action authorized by such Act  
2           with respect to a report of an employment accident  
3           which is fatal to one or more employees or which re-  
4           sults in hospitalization of two or more employees, and  
5           to take any action pursuant to such investigation au-  
6           thorized by such Act; and

7           (6) to take any action authorized by such Act  
8           with respect to complaints of discrimination against  
9           employees for exercising rights under such Act:

10          *Provided further, That the foregoing proviso shall not apply*  
11          *to any person who is engaged in a farming operation which*  
12          *does not maintain a temporary labor camp and employs*  
13          *10 or fewer employees: Provided further, That not less than*  
14          *\$3,200,000 shall be used to extend funding for the Institu-*  
15          *tional Competency Building training grants which com-*  
16          *menced in September 2000, for program activities for the*  
17          *period of September 30, 2003 to September 30, 2004, pro-*  
18          *vided that a grantee has demonstrated satisfactory perform-*  
19          *ance.*

20                    MINE SAFETY AND HEALTH ADMINISTRATION

21                                SALARIES AND EXPENSES

22           *For necessary expenses for the Mine Safety and Health*  
23          *Administration, \$271,841,000, including purchase and be-*  
24          *stowal of certificates and trophies in connection with mine*  
25          *rescue and first-aid work, and the hire of passenger motor*

1 *vehicles; including up to \$2,000,000 for mine rescue and*  
2 *recovery activities; and including \$10,000,000 for digitizing*  
3 *mine maps and developing technologies to detect mine*  
4 *voids, through contracts, grants, or other arrangements, to*  
5 *remain available until expended; in addition, not to exceed*  
6 *\$750,000 may be collected by the National Mine Health and*  
7 *Safety Academy for room, board, tuition, and the sale of*  
8 *training materials, otherwise authorized by law to be col-*  
9 *lected, to be available for mine safety and health education*  
10 *and training activities, notwithstanding 31 U.S.C. 3302;*  
11 *and, in addition, the Mine Safety and Health Administra-*  
12 *tion may retain up to \$1,000,000 from fees collected for the*  
13 *approval and certification of equipment, materials, and ex-*  
14 *plosives for use in mines, and may utilize such sums for*  
15 *such activities; the Secretary is authorized to accept lands,*  
16 *buildings, equipment, and other contributions from public*  
17 *and private sources and to prosecute projects in cooperation*  
18 *with other agencies, Federal, State, or private; the Mine*  
19 *Safety and Health Administration is authorized to promote*  
20 *health and safety education and training in the mining*  
21 *community through cooperative programs with States, in-*  
22 *dustry, and safety associations; and any funds available to*  
23 *the department may be used, with the approval of the Sec-*  
24 *retary, to provide for the costs of mine rescue and survival*  
25 *operations in the event of a major disaster.*

1                    *BUREAU OF LABOR STATISTICS*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses for the Bureau of Labor Statis-*  
4 *tics, including advances or reimbursements to State, Fed-*  
5 *eral, and local agencies and their employees for services ren-*  
6 *dered, \$415,855,000, together with not to exceed*  
7 *\$72,029,000, which may be expended from the Employment*  
8 *Security Administration Account in the Unemployment*  
9 *Trust Fund; and \$2,570,000 which shall be available for*  
10 *obligation for the period July 1, 2003 through September*  
11 *30, 2003, for Occupational Employment Statistics, and*  
12 *\$6,600,000 to be used to fund the mass layoff statistics pro-*  
13 *gram under section 15 of the Wagner-Peyser Act (29 U.S.C.*  
14 *49l-2).*

15                    *OFFICE OF DISABILITY EMPLOYMENT POLICY*16                    *SALARIES AND EXPENSES*

17            *For necessary expenses for the Office of Disability Em-*  
18 *ployment Policy to provide leadership, develop policy and*  
19 *initiatives, and award grants furthering the objective of*  
20 *eliminating barriers to the training and employment of*  
21 *people with disabilities, \$47,015,000.*

22                    *DEPARTMENTAL MANAGEMENT*23                    *SALARIES AND EXPENSES*

24            *For necessary expenses for Departmental Management,*  
25 *including the hire of three sedans, and including the man-*

1 agement or operation, through contracts, grants or other ar-  
2 rangements of Departmental activities conducted by or  
3 through the Bureau of International Labor Affairs, includ-  
4 ing bilateral and multilateral technical assistance and other  
5 international labor activities, of which the funds designated  
6 to carry out bilateral assistance under the international  
7 child labor initiative shall be available for obligation  
8 through September 30, 2004, and not less than \$3,000,000  
9 shall be for an Office of Pension Participant Advocacy, and  
10 \$55,000,000, for the acquisition of Departmental informa-  
11 tion technology, architecture, infrastructure, equipment,  
12 software and related needs which will be allocated by the  
13 Department's Chief Information Officer in accordance with  
14 the Department's capital investment management process  
15 to assure a sound investment strategy; \$396,313,000; to-  
16 gether with not to exceed \$310,000, which may be expended  
17 from the Employment Security Administration Account in  
18 the Unemployment Trust Fund: Provided, That no funds  
19 made available by this Act may be used by the Solicitor  
20 of Labor to participate in a review in any United States  
21 court of appeals of any decision made by the Benefits Re-  
22 view Board under section 21 of the Longshore and Harbor  
23 Workers' Compensation Act (33 U.S.C. 921) where such  
24 participation is precluded by the decision of the United  
25 States Supreme Court in Director, Office of Workers' Com-

1 *ensation Programs v. Newport News Shipbuilding, 115 S.*  
2 *Ct. 1278 (1995), notwithstanding any provisions to the con-*  
3 *trary contained in Rule 15 of the Federal Rules of Appellate*  
4 *Procedure: Provided further, That no funds made available*  
5 *by this Act may be used by the Secretary of Labor to review*  
6 *a decision under the Longshore and Harbor Workers' Com-*  
7 *ensation Act (33 U.S.C. 901 et seq.) that has been appealed*  
8 *and that has been pending before the Benefits Review Board*  
9 *for more than 12 months: Provided further, That any such*  
10 *decision pending a review by the Benefits Review Board*  
11 *for more than 1 year shall be considered affirmed by the*  
12 *Benefits Review Board on the 1-year anniversary of the fil-*  
13 *ing of the appeal, and shall be considered the final order*  
14 *of the Board for purposes of obtaining a review in the*  
15 *United States courts of appeals: Provided further, That*  
16 *these provisions shall not be applicable to the review or ap-*  
17 *peal of any decision issued under the Black Lung Benefits*  
18 *Act (30 U.S.C. 901 et seq.).*

19 **VETERANS EMPLOYMENT AND TRAINING**

20 *Not to exceed \$191,537,000 may be derived from the*  
21 *Employment Security Administration Account in the Un-*  
22 *employment Trust Fund to carry out the provisions of 38*  
23 *U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and Pub-*  
24 *lic Law 103–353, and which shall be available for obliga-*  
25 *tion by the States through December 31, 2003. To carry*  
26 *out the Stewart B. McKinney Homeless Assistance Act and*

1 *section 168 of the Workforce Investment Act of 1998,*  
2 *\$26,550,000, of which \$7,550,000 shall be available for obli-*  
3 *gation for the period July 1, 2003 through June 30, 2004.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For salaries and expenses of the Office of Inspector*  
6 *General in carrying out the provisions of the Inspector Gen-*  
7 *eral Act of 1978, as amended, \$56,659,000, together with*  
8 *not to exceed \$5,597,000, which may be expended from the*  
9 *Employment Security Administration Account in the Un-*  
10 *employment Trust Fund.*

11 *GENERAL PROVISIONS*

12 *SEC. 101. None of the funds appropriated in this title*  
13 *for the Job Corps shall be used to pay the compensation*  
14 *of an individual, either as direct costs or any proration*  
15 *as an indirect cost, at a rate in excess of Executive Level*  
16 *II.*

17 *(TRANSFER OF FUNDS)*

18 *SEC. 102. Not to exceed 1 percent of any discretionary*  
19 *funds (pursuant to the Balanced Budget and Emergency*  
20 *Deficit Control Act of 1985, as amended) which are appro-*  
21 *priated for the current fiscal year for the Department of*  
22 *Labor in this Act may be transferred between appropria-*  
23 *tions, but no such appropriation shall be increased by more*  
24 *than 3 percent by any such transfer: Provided, That the*  
25 *Appropriations Committees of both Houses of Congress are*  
26 *notified at least 15 days in advance of any transfer.*

1       *SEC. 103. In accordance with Executive Order No.*  
2 *13126, none of the funds appropriated or otherwise made*  
3 *available pursuant to this Act shall be obligated or expended*  
4 *for the procurement of goods mined, produced, manufac-*  
5 *tured, or harvested or services rendered, whole or in part,*  
6 *by forced or indentured child labor in industries and host*  
7 *countries already identified by the U.S. Department of*  
8 *Labor prior to enactment of this Act.*

9       *SEC. 104. There is authorized to be appropriated such*  
10 *sums as may be necessary to the Denali Commission*  
11 *through the Department of Labor to conduct job training*  
12 *of the local workforce where Denali Commission projects*  
13 *will be constructed.*

14       *SEC. 105. (a) Section 218(d)(6)(C) of the Social Secu-*  
15 *rity Act (42 U.S.C. 418(d)(6)(C)) is amended by inserting*  
16 *“Kentucky,” after “Illinois,”.*

17       *(b) The amendment made by subsection (a) takes effect*  
18 *on January 1, 2003.*

19       *This title may be cited as the “Department of Labor*  
20 *Appropriations Act, 2003”.*





1 *main available until expended to carry out that Act: Pro-*  
2 *vided further, That fees collected for the full disclosure of*  
3 *information under the “Health Care Fraud and Abuse Data*  
4 *Collection Program”, authorized by section 1128E(d)(2) of*  
5 *the Social Security Act, shall be sufficient to recover the*  
6 *full costs of operating the program, and shall remain avail-*  
7 *able until expended to carry out that Act: Provided further,*  
8 *That no more than \$50,000,000 is available for carrying*  
9 *out the provisions of Public Law 104–73: Provided further,*  
10 *That of the funds made available under this heading,*  
11 *\$285,000,000 shall be for the program under title X of the*  
12 *Public Health Service Act to provide for voluntary family*  
13 *planning projects: Provided further, That amounts provided*  
14 *to said projects under such title shall not be expended for*  
15 *abortions, that all pregnancy counseling shall be nondirec-*  
16 *tive, and that such amounts shall not be expended for any*  
17 *activity (including the publication or distribution of lit-*  
18 *erature) that in any way tends to promote public support*  
19 *or opposition to any legislative proposal or candidate for*  
20 *public office: Provided further, That \$739,000,000 shall be*  
21 *for State AIDS Drug Assistance Programs authorized by*  
22 *section 2616 of the Public Health Service Act: Provided fur-*  
23 *ther, That in addition to amounts provided herein,*  
24 *\$25,000,000 shall be available from amounts available*  
25 *under section 241 of the Public Health Service Act to carry*

1 out Parts A, B, C, and D of Title XXVI of the Public Health  
2 Service Act to fund section 2691 Special Projects of Na-  
3 tional Significance: Provided further, That \$40,000,000 is  
4 available for special projects of regional and national sig-  
5 nificance under section 501(a)(2) of the Social Security Act,  
6 which shall not be counted toward compliance with the allo-  
7 cation required in section 502(a)(1) of such Act, and which  
8 shall be used only for making competitive grants to provide  
9 abstinence education (as defined in section 510(b)(2) of such  
10 Act) to adolescents and for evaluations (including longitu-  
11 dinal evaluations) of activities under the grants and for  
12 Federal costs of administering the grants: Provided further,  
13 That grants under the immediately preceding proviso shall  
14 be made only to public and private entities which agree  
15 that, with respect to an adolescent to whom the entities pro-  
16 vide abstinence education under such grant, the entities will  
17 not provide to that adolescent any other education regard-  
18 ing sexual conduct, except that, in the case of an entity ex-  
19 pressly required by law to provide health information or  
20 services the adolescent shall not be precluded from seeking  
21 health information or services from the entity in a different  
22 setting than the setting in which the abstinence education  
23 was provided: Provided further, That the funds expended  
24 for such evaluations may not exceed 3.5 percent of such  
25 amount: Provided further, That \$120,027,000 shall be ap-

1 *propriated to carry out the community access program to*  
 2 *increase the capacity and effectiveness of community health*  
 3 *care institutions and providers who serve patients regard-*  
 4 *less of their ability to pay.*

5 *HEALTH EDUCATION ASSISTANCE LOANS PROGRAM*  
 6 *ACCOUNT*

7 *Such sums as may be necessary to carry out the pur-*  
 8 *pose of the program, as authorized by title VII of the Public*  
 9 *Health Service Act, as amended. For administrative ex-*  
 10 *penses to carry out the guaranteed loan program, including*  
 11 *section 709 of the Public Health Service Act, \$3,914,000.*

12 *VACCINE INJURY COMPENSATION PROGRAM TRUST FUND*

13 *For payments from the Vaccine Injury Compensation*  
 14 *Program Trust Fund, such sums as may be necessary for*  
 15 *claims associated with vaccine-related injury or death with*  
 16 *respect to vaccines administered after September 30, 1988,*  
 17 *pursuant to subtitle 2 of title XXI of the Public Health*  
 18 *Service Act, to remain available until expended: Provided,*  
 19 *That for necessary administrative expenses, not to exceed*  
 20 *\$2,991,000 shall be available from the Trust Fund to the*  
 21 *Secretary of Health and Human Services.*

22 *CENTERS FOR DISEASE CONTROL AND PREVENTION*

23 *DISEASE CONTROL, RESEARCH, AND TRAINING*

24 *To carry out titles II, III, VII, XI, XV, XVII, XIX,*  
 25 *XXI, and XXVI of the Public Health Service Act, sections*  
 26 *101, 102, 103, 201, 202, 203, 301, and 501 of the Federal*

1 *Mine Safety and Health Act of 1977, sections 20, 21, and*  
2 *22 of the Occupational Safety and Health Act of 1970, title*  
3 *IV of the Immigration and Nationality Act, and section 501*  
4 *of the Refugee Education Assistance Act of 1980; including*  
5 *insurance of official motor vehicles in foreign countries; and*  
6 *hire, maintenance, and operation of aircraft,*  
7 *\$4,317,749,000, of which \$270,000,000 shall remain avail-*  
8 *able until expended for equipment, and construction and*  
9 *renovation of facilities, and of which \$183,763,000 for*  
10 *international HIV/AIDS shall remain available until Sep-*  
11 *tember 30, 2004, and in addition, such sums as may be*  
12 *derived from authorized user fees, which shall be credited*  
13 *to this account: Provided, That in addition to amounts pro-*  
14 *vided herein, \$14,000,000 shall be available from amounts*  
15 *available under section 241 of the Public Health Service*  
16 *Act to carry out the National Immunization Surveys: Pro-*  
17 *vided further, That in addition to amounts provided herein,*  
18 *\$28,600,000 shall be available from amounts available*  
19 *under section 241 of the Public Health Service Act to carry*  
20 *out information systems standards development and archi-*  
21 *tecture and applications-based research used at local public*  
22 *health levels: Provided further, That in addition to amounts*  
23 *provided herein, \$41,900,000 shall be available from*  
24 *amounts available under section 241 of the Public Health*  
25 *Service Act to carry out Research Tools and Approaches*

1 *activities within the National Occupational Research Agen-*  
2 *da: Provided further, That of the amounts provided herein*  
3 *for international HIV/AIDS, \$40,000,000 shall be for the*  
4 *International Mother and Child HIV Prevention Initiative:*  
5 *Provided further, That employees of the Centers for Disease*  
6 *Control and Prevention or the Public Health Service, both*  
7 *civilian and Commissioned Officers, detailed to States, mu-*  
8 *nicipalities or other organizations under authority of Sec-*  
9 *tion 214 of the Public Health Service Act for purposes re-*  
10 *lated to homeland security, shall be treated as non-Federal*  
11 *employees for reporting purposes only and shall not be in-*  
12 *cluded within any personnel ceiling applicable to the Agen-*  
13 *cy, Service, or the Department of Health and Human Serv-*  
14 *ices during the period of detail or assignment: Provided fur-*  
15 *ther, That none of the funds made available for injury pre-*  
16 *vention and control at the Centers for Disease Control and*  
17 *Prevention may be used to advocate or promote gun control:*  
18 *Provided further, That the Director may redirect the total*  
19 *amount made available under authority of Public Law*  
20 *101–502, section 3, dated November 3, 1990, to activities*  
21 *the Director may so designate: Provided further, That the*  
22 *Congress is to be notified promptly of any such transfer:*  
23 *Provided further, That not to exceed \$15,000,000 may be*  
24 *available for making grants under section 1509 of the Pub-*  
25 *lic Health Service Act to not more than 15 States: Provided*

1 *further, That without regard to existing statute, funds ap-*  
2 *propriated may be used to proceed, at CDC's discretion,*  
3 *with property acquisition, including a long-term ground*  
4 *lease for construction on non-federal land, to support the*  
5 *construction of a replacement laboratory in the Fort Col-*  
6 *lins, Colorado area: Provided further, That notwithstanding*  
7 *any other provision of law, a single contract or related con-*  
8 *tracts for development and construction of facilities may*  
9 *be employed which collectively include the full scope of the*  
10 *project: Provided further, That the solicitation and contract*  
11 *shall contain the clause "availability of funds" found at*  
12 *48 CFR 52.232-18.*

13 *NATIONAL INSTITUTES OF HEALTH*

14 *NATIONAL CANCER INSTITUTE*

15 *For carrying out section 301 and title IV of the Public*  
16 *Health Service Act with respect to cancer, \$4,642,394,000.*

17 *NATIONAL HEART, LUNG, AND BLOOD INSTITUTE*

18 *For carrying out section 301 and title IV of the Public*  
19 *Health Service Act with respect to cardiovascular, lung,*  
20 *and blood diseases, and blood and blood products,*  
21 *\$2,820,011,000.*

22 *NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL*

23 *RESEARCH*

24 *For carrying out section 301 and title IV of the Public*  
25 *Health Service Act with respect to dental disease,*  
26 *\$374,067,000.*

1     *NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND*  
2                                     *KIDNEY DISEASES*

3             *For carrying out section 301 and title IV of the Public*  
4 *Health Service Act with respect to diabetes and digestive*  
5 *and kidney disease, \$1,637,347,000.*

6     *NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND*  
7                                     *STROKE*

8             *For carrying out section 301 and title IV of the Public*  
9 *Health Service Act with respect to neurological disorders*  
10 *and stroke, \$1,466,005,000.*

11     *NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS*  
12                                     *DISEASES*

13                                     *(INCLUDING TRANSFER OF FUNDS)*

14             *For carrying out section 301 and title IV of the Public*  
15 *Health Service Act with respect to allergy and infectious*  
16 *diseases, \$3,727,473,000: Provided, That \$100,000,000 may*  
17 *be made available to International Assistance Programs,*  
18 *“Global Fund to Fight HIV/AIDS, Malaria, and Tuber-*  
19 *culosis”, to remain available until expended: Provided fur-*  
20 *ther, That up to \$150,000,000 shall be for extramural facili-*  
21 *ties construction grants to enhance the Nation’s capability*  
22 *to do research on biological and other agents.*

23     *NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES*

24             *For carrying out section 301 and title IV of the Public*  
25 *Health Service Act with respect to general medical sciences,*  
26 *\$1,853,584,000.*



1     *NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN*  
2                                     *DEVELOPMENT*

3             *For carrying out section 301 and title IV of the Public*  
4 *Health Service Act with respect to child health and human*  
5 *development, \$1,213,817,000.*

6                                     *NATIONAL EYE INSTITUTE*

7             *For carrying out section 301 and title IV of the Public*  
8 *Health Service Act with respect to eye diseases and visual*  
9 *disorders, \$634,290,000.*

10                                    *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*  
11   *SCIENCES*

12             *For carrying out sections 301 and 311 and title IV*  
13 *of the Public Health Service Act with respect to environ-*  
14 *mental health sciences, \$617,258,000.*

15                                    *NATIONAL INSTITUTE ON AGING*

16             *For carrying out section 301 and title IV of the Public*  
17 *Health Service Act with respect to aging, \$1,000,099,000.*

18                                    *NATIONAL INSTITUTE OF ARTHRITIS AND*  
19   *MUSCULOSKELETAL AND SKIN DISEASES*

20             *For carrying out section 301 and title IV of the Public*  
21 *Health Service Act with respect to arthritis and musculo-*  
22 *skeletal and skin diseases, \$489,324,000.*





1            *JOHN E. FOGARTY INTERNATIONAL CENTER*

2            *For carrying out the activities at the John E. Fogarty*  
3 *International Center, \$60,880,000.*

4            *NATIONAL LIBRARY OF MEDICINE*

5            *For carrying out section 301 and title IV of the Public*  
6 *Health Service Act with respect to health information com-*  
7 *munications, \$302,099,000, of which \$4,000,000 shall be*  
8 *available until expended for improvement of information*  
9 *systems: Provided, That in fiscal year 2003, the Library*  
10 *may enter into personal services contracts for the provision*  
11 *of services in facilities owned, operated, or constructed*  
12 *under the jurisdiction of the National Institutes of Health:*  
13 *Provided further, That in addition to amounts provided*  
14 *herein, \$8,200,000 shall be available from amounts avail-*  
15 *able under section 241 of the Public Health Service Act to*  
16 *carry out National Information Center on Health Services*  
17 *Research and Health Care Technology and related health*  
18 *services.*

19            *OFFICE OF THE DIRECTOR*

20            *(INCLUDING TRANSFER OF FUNDS)*

21            *For carrying out the responsibilities of the Office of*  
22 *the Director, National Institutes of Health, \$257,974,000:*  
23 *Provided, That funding shall be available for the purchase*  
24 *of not to exceed 29 passenger motor vehicles for replacement*  
25 *only: Provided further, That the Director may direct up to*  
26 *1 percent of the total amount made available in this or any*

1 *other Act to all National Institutes of Health appropri-*  
2 *ations to activities the Director may so designate: Provided*  
3 *further, That no such appropriation shall be decreased by*  
4 *more than 1 percent by any such transfers and that the*  
5 *Congress is promptly notified of the transfer: Provided fur-*  
6 *ther, That the National Institutes of Health is authorized*  
7 *to collect third party payments for the cost of clinical serv-*  
8 *ices that are incurred in National Institutes of Health re-*  
9 *search facilities and that such payments shall be credited*  
10 *to the National Institutes of Health Management Fund:*  
11 *Provided further, That all funds credited to the National*  
12 *Institutes of Health Management Fund shall remain avail-*  
13 *able for 1 fiscal year after the fiscal year in which they*  
14 *are deposited: Provided further, That up to \$500,000 shall*  
15 *be available to carry out section 499 of the Public Health*  
16 *Service Act.*

17 *BUILDINGS AND FACILITIES*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For the study of, construction of, renovation of, and*  
20 *acquisition of equipment for, facilities of or used by the Na-*  
21 *tional Institutes of Health, including the acquisition of real*  
22 *property, \$607,800,000, to remain available until expended:*  
23 *Provided, That notwithstanding any other provision of law,*  
24 *single contracts or related contracts, which collectively in-*  
25 *clude the full scope of the project, may be employed for the*  
26 *development and construction of the first and second phases*

1 *of the John Edward Porter Neuroscience Research Center:*  
2 *Provided further, That the solicitations and contracts shall*  
3 *contain the clause “availability of funds” found at 48 CFR*  
4 *52.232–18.*

5 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*  
6 *ADMINISTRATION*

7 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

8 *For carrying out titles V and XIX of the Public Health*  
9 *Service Act with respect to substance abuse and mental*  
10 *health services, the Protection and Advocacy for Mentally*  
11 *Ill Individuals Act of 1986, and section 301 of the Public*  
12 *Health Service Act with respect to program management,*  
13 *\$3,129,717,000: Provided, That, \$955,000, to remain avail-*  
14 *able until expended, shall be for protection, maintenance,*  
15 *and environmental remediation of the Federally owned fa-*  
16 *cilities at St. Elizabeths Hospital: Provided further, That*  
17 *in addition to amounts provided herein, \$62,200,000 shall*  
18 *be available from amounts available under section 241 of*  
19 *the Public Health Service Act to carry out Subpart II of*  
20 *Title XIX of the Public Health Service Act to fund section*  
21 *1935(b) national data, data collection and evaluation ac-*  
22 *tivities, and further that the total available under this Act*  
23 *for section 1935(b) activities shall not exceed 5 percent of*  
24 *the amounts appropriated for Subpart II of Title XIX: Pro-*  
25 *vided further, That in addition to amounts provided herein,*

1 \$12,000,000 shall be made available from amounts avail-  
 2 able under section 241 of the Public Health Service Act to  
 3 carry out data collection activities supporting the annual  
 4 National Household Survey.

5 *AGENCY FOR HEALTHCARE RESEARCH AND QUALITY*

6 *HEALTHCARE RESEARCH AND QUALITY*

7 *For carrying out titles III and IX of the Public Health*  
 8 *Service Act, and part A of title XI of the Social Security*  
 9 *Act, \$308,645,000; in addition, amounts received from*  
 10 *Freedom of Information Act fees, reimbursable and inter-*  
 11 *agency agreements, and the sale of data shall be credited*  
 12 *to this appropriation and shall remain available until ex-*  
 13 *pended.*

14 *CENTERS FOR MEDICARE AND MEDICAID SERVICES*

15 *GRANTS TO STATES FOR MEDICAID*

16 *For carrying out, except as otherwise provided, titles*  
 17 *XI and XIX of the Social Security Act, \$112,090,218,000,*  
 18 *to remain available until expended.*

19 *For making, after May 31, 2003, payments to States*  
 20 *under title XIX of the Social Security Act for the last quar-*  
 21 *ter of fiscal year 2003 for unanticipated costs, incurred for*  
 22 *the current fiscal year, such sums as may be necessary.*

23 *For making payments to States or in the case of sec-*  
 24 *tion 1928 on behalf of States under title XIX of the Social*

1 *Security Act for the first quarter of fiscal year 2004,*  
2 *\$51,861,386,000, to remain available until expended.*

3 *Payment under title XIX may be made for any quarter*  
4 *with respect to a State plan or plan amendment in effect*  
5 *during such quarter, if submitted in or prior to such quar-*  
6 *ter and approved in that or any subsequent quarter.*

7 *PAYMENTS TO HEALTH CARE TRUST FUNDS*

8 *For payment to the Federal Hospital Insurance and*  
9 *the Federal Supplementary Medical Insurance Trust*  
10 *Funds, as provided under section 1844 of the Social Secu-*  
11 *rity Act, sections 103(c) and 111(d) of the Social Security*  
12 *Amendments of 1965, section 278(d) of Public Law 97-248,*  
13 *and for administrative expenses incurred pursuant to sec-*  
14 *tion 201(g) of the Social Security Act, \$81,462,700,000.*

15 *PROGRAM MANAGEMENT*

16 *For carrying out, except as otherwise provided, titles*  
17 *XI, XVIII, XIX, and XXI of the Social Security Act, titles*  
18 *XIII and XXVII of the Public Health Service Act, and the*  
19 *Clinical Laboratory Improvement Amendments of 1988, not*  
20 *to exceed \$2,559,664,000, to be transferred from the Federal*  
21 *Hospital Insurance and the Federal Supplementary Med-*  
22 *ical Insurance Trust Funds, as authorized by section 201(g)*  
23 *of the Social Security Act; together with all funds collected*  
24 *in accordance with section 353 of the Public Health Service*  
25 *Act and section 1857(e)(2) of the Social Security Act, and*  
26 *such sums as may be collected from authorized user fees and*



1 *the sale of data, which shall remain available until ex-*  
2 *pended, and together with administrative fees collected rel-*  
3 *ative to Medicare overpayment recovery activities, which*  
4 *shall remain available until expended: Provided, That all*  
5 *funds derived in accordance with 31 U.S.C. 9701 from or-*  
6 *ganizations established under title XIII of the Public Health*  
7 *Service Act shall be credited to and available for carrying*  
8 *out the purposes of this appropriation: Provided further,*  
9 *That from amounts appropriated under this heading,*  
10 *\$3,000,000 for the managed care system redesign shall re-*  
11 *main available until expended: Provided further, That*  
12 *\$51,000,000, to remain available until September 30, 2004,*  
13 *is for contract costs for the Healthcare Integrated General*  
14 *Ledger Accounting System: Provided further, That to the*  
15 *extent Medicare claims volume is projected by the Centers*  
16 *for Medicare and Medicaid Services (CMS) to exceed*  
17 *223,500,000 Part A claims and/or 870,000,000 Part B*  
18 *claims, an additional \$46,800,000 shall be available for ob-*  
19 *ligation for every 50,000,000 increase in Medicare claims*  
20 *volume (including a pro rata amount for any increment*  
21 *less than 50,000,000) from the Federal Hospital Insurance*  
22 *and the Federal Supplementary Medical Insurance Trust*  
23 *Fund: Provided further, That the Secretary of Health and*  
24 *Human Services is directed to collect fees in fiscal year*  
25 *2003 from Medicare + Choice organizations pursuant to sec-*

1 *tion 1857(e)(2) of the Social Security Act and from eligible*  
 2 *organizations with risk-sharing contracts under section*  
 3 *1876 of that Act pursuant to section 1876(k)(4)(D) of that*  
 4 *Act.*

5 *HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN*  
 6 *GUARANTEE FUND*

7 *For carrying out subsections (d) and (e) of section*  
 8 *1308 of the Public Health Service Act, any amounts re-*  
 9 *ceived by the Secretary in connection with loans and loan*  
 10 *guarantees under title XIII of the Public Health Service*  
 11 *Act, to be available without fiscal year limitation for the*  
 12 *payment of outstanding obligations. During fiscal year*  
 13 *2003, no commitments for direct loans or loan guarantees*  
 14 *shall be made.*

15 *ADMINISTRATION FOR CHILDREN AND FAMILIES*  
 16 *PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT*  
 17 *AND FAMILY SUPPORT PROGRAMS*

18 *For making payments to States or other non-Federal*  
 19 *entities under titles I, IV–D, X, XI, XIV, and XVI of the*  
 20 *Social Security Act and the Act of July 5, 1960 (24 U.S.C.*  
 21 *ch. 9), \$2,475,800,000, to remain available until expended;*  
 22 *and for such purposes for the first quarter of fiscal year*  
 23 *2004, \$1,100,000,000, to remain available until expended.*

24 *For making payments to each State for carrying out*  
 25 *the program of Aid to Families with Dependent Children*  
 26 *under title IV–A of the Social Security Act before the effec-*

1 *tive date of the program of Temporary Assistance for Needy*  
 2 *Families (TANF) with respect to such State, such sums as*  
 3 *may be necessary: Provided, That the sum of the amounts*  
 4 *available to a State with respect to expenditures under such*  
 5 *title IV–A in fiscal year 1997 under this appropriation and*  
 6 *under such title IV–A as amended by the Personal Respon-*  
 7 *sibility and Work Opportunity Reconciliation Act of 1996*  
 8 *shall not exceed the limitations under section 116(b) of such*  
 9 *Act.*

10 *For making, after May 31 of the current fiscal year,*  
 11 *payments to States or other non-Federal entities under ti-*  
 12 *ties I, IV–D, X, XI, XIV, and XVI of the Social Security*  
 13 *Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the*  
 14 *last 3 months of the current fiscal year for unanticipated*  
 15 *costs, incurred for the current fiscal year, such sums as may*  
 16 *be necessary.*

17 *LOW INCOME HOME ENERGY ASSISTANCE*

18 *For making payments under title XXVI of the Omni-*  
 19 *bus Budget Reconciliation Act of 1981, \$1,700,000,000.*

20 *REFUGEE AND ENTRANT ASSISTANCE*

21 *For making payments for refugee and entrant assist-*  
 22 *ance activities authorized by title IV of the Immigration*  
 23 *and Nationality Act and section 501 of the Refugee Edu-*  
 24 *cation Assistance Act of 1980 (Public Law 96–422),*  
 25 *\$432,724,000: Provided, That funds appropriated pursuant*  
 26 *to section 414(a) of the Immigration and Nationality Act*

1 *for fiscal year 2003 shall be available for the costs of assist-*  
2 *ance provided and other activities through September 30,*  
3 *2005: Provided further, That up to \$10,000,000 is available*  
4 *to carry out the Trafficking Victims Protection Act of 2000.*

5 *For carrying out section 5 of the Torture Victims Re-*  
6 *lief Act of 1998 (Public Law 105-320), \$10,000,000.*

7 *PAYMENTS TO STATES FOR THE CHILD CARE AND*  
8 *DEVELOPMENT BLOCK GRANT*

9 *For carrying out sections 658A through 658R of the*  
10 *Omnibus Budget Reconciliation Act of 1981 (The Child*  
11 *Care and Development Block Grant Act of 1990),*  
12 *\$2,099,994,000 shall be used to supplement, not supplant*  
13 *state general revenue funds for child care assistance for low-*  
14 *income families: Provided, That \$19,120,000 shall be avail-*  
15 *able for child care resource and referral and school-aged*  
16 *child care activities, of which \$1,000,000 shall be for the*  
17 *Child Care Aware toll free hotline: Provided further, That,*  
18 *in addition to the amounts required to be reserved by the*  
19 *States under section 658G, \$272,672,000 shall be reserved*  
20 *by the States for activities authorized under section 658G,*  
21 *of which \$100,000,000 shall be for activities that improve*  
22 *the quality of infant and toddler care: Provided further,*  
23 *That \$10,000,000 shall be for use by the Secretary for child*  
24 *care research, demonstration, and evaluation activities.*



1 *XIV, XVI, and XX of the Social Security Act, the Act of*  
2 *July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Rec-*  
3 *onciliation Act of 1981, title IV of the Immigration and*  
4 *Nationality Act, section 501 of the Refugee Education As-*  
5 *sistance Act of 1980, section 5 of the Torture Victims Relief*  
6 *Act of 1998 (Public Law 105–320), sections 40155, 40211,*  
7 *and 40241 of Public Law 103–322, and section 126 and*  
8 *titles IV and V of Public Law 100–485, \$8,648,884,000, of*  
9 *which \$43,000,000, to remain available until September 30,*  
10 *2004, shall be for grants to States for adoption incentive*  
11 *payments, as authorized by section 473A of title IV of the*  
12 *Social Security Act (42 U.S.C. 670–679) and may be made*  
13 *for adoptions completed in fiscal years 2001 and 2002; of*  
14 *which \$6,667,533,000 shall be for making payments under*  
15 *the Head Start Act, of which \$1,400,000,000 shall become*  
16 *available October 1, 2003 and remain available through*  
17 *September 30, 2004; and of which \$740,477,000 shall be for*  
18 *making payments under the Community Services Block*  
19 *Grant Act: Provided, That not less than \$7,500,000 shall*  
20 *be for section 680(3)(B) of the Community Services Block*  
21 *Grant Act, as amended: Provided further, That in addition*  
22 *to amounts provided herein, \$6,000,000 shall be available*  
23 *from amounts available under section 241 of the Public*  
24 *Health Service Act to carry out the provisions of Section*  
25 *1110 of the Social Security Act: Provided further, That to*

1 *the extent Community Services Block Grant funds are dis-*  
2 *tributed as grant funds by a State to an eligible entity as*  
3 *provided under the Act, and have not been expended by such*  
4 *entity, they shall remain with such entity for carryover into*  
5 *the next fiscal year for expenditure by such entity consistent*  
6 *with program purposes: Provided further, That the Sec-*  
7 *retary shall establish procedures regarding the disposition*  
8 *of intangible property which permits grant funds, or intan-*  
9 *gible assets acquired with funds authorized under section*  
10 *680 of the Community Services Block Grant Act, as amend-*  
11 *ed, to become the sole property of such grantees after a pe-*  
12 *riod of not more than 12 years after the end of the grant*  
13 *for purposes and uses consistent with the original grant:*  
14 *Provided further, That funds appropriated for section*  
15 *680(a)(2) of the Community Services Block Grant Act, as*  
16 *amended, shall be available for financing construction and*  
17 *rehabilitation and loans or investments in private business*  
18 *enterprises owned by community development corporations:*  
19 *Provided further, That \$93,000,000 shall be for activities*  
20 *authorized by the Runaway and Homeless Youth Act, not-*  
21 *withstanding the allocation requirements of section 388(a)*  
22 *of such Act, of which \$41,800,000 is for the transitional*  
23 *living program: Provided further, That \$45,000,000 is for*  
24 *a compassion capital fund to provide grants to charitable*  
25 *organizations to emulate model social service programs and*

1 *to encourage research on the best practices of social service*  
2 *organizations.*

3 *PROMOTING SAFE AND STABLE FAMILIES*

4 *For carrying out section 436 of the Social Security*  
5 *Act, \$305,000,000 and for section 437, \$200,000,000.*

6 *PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION*

7 *ASSISTANCE*

8 *For making payments to States or other non-Federal*  
9 *entities under title IV–E of the Social Security Act,*  
10 *\$4,855,000,000.*

11 *For making payments to States or other non-Federal*  
12 *entities under title IV–E of the Act, for the first quarter*  
13 *of fiscal year 2004, \$1,745,600,000.*

14 *For making, after May 31 of the current fiscal year,*  
15 *payments to States or other non-Federal entities under sec-*  
16 *tion 474 of title IV–E, for the last 3 months of the current*  
17 *fiscal year for unanticipated costs, incurred for the current*  
18 *fiscal year, such sums as may be necessary.*

19 *ADMINISTRATION ON AGING*

20 *AGING SERVICES PROGRAMS*

21 *For carrying out, to the extent not otherwise provided,*  
22 *the Older Americans Act of 1965, as amended, and section*  
23 *398 of the Public Health Service Act, \$1,369,290,000, of*  
24 *which \$6,000,000 shall be available for activities regarding*  
25 *medication management, screening, and education to pre-*  
26 *vent incorrect medication and adverse drug reactions: Pro-*



1 *vided, That \$149,670,000 shall be available for carrying out*  
2 *section 311 of the Older Americans Act of 1965 consistent*  
3 *with the formula of such Act (as amended by section 217*  
4 *of this Act).*

5 *OFFICE OF THE SECRETARY*

6 *GENERAL DEPARTMENTAL MANAGEMENT*

7 *For necessary expenses, not otherwise provided, for*  
8 *general departmental management, including hire of six se-*  
9 *dans, and for carrying out titles III, XVII, and XX of the*  
10 *Public Health Service Act, and the United States-Mexico*  
11 *Border Health Commission Act, \$368,535,000, together*  
12 *with \$5,851,000 to be transferred and expended as author-*  
13 *ized by section 201(g)(1) of the Social Security Act from*  
14 *the Hospital Insurance Trust Fund and the Supplemental*  
15 *Medical Insurance Trust Fund: Provided, That of the funds*  
16 *made available under this heading for carrying out title*  
17 *XX of the Public Health Service Act, \$11,885,000 shall be*  
18 *for activities specified under section 2003(b)(2), of which*  
19 *\$10,157,000 shall be for prevention service demonstration*  
20 *grants under section 510(b)(2) of title V of the Social Secu-*  
21 *rity Act, as amended, without application of the limitation*  
22 *of section 2010(c) of said title XX: Provided further, That*  
23 *of this amount, \$50,000,000 is for minority AIDS preven-*  
24 *tion and treatment activities; and \$20,000,000 shall be for*  
25 *an Information Technology Security and Innovation Fund*

1 *for Department-wide activities involving cybersecurity, in-*  
2 *formation technology security, and related innovation*  
3 *projects.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For expenses necessary for the Office of Inspector Gen-*  
6 *eral in carrying out the provisions of the Inspector General*  
7 *Act of 1978, as amended, \$39,747,000: Provided, That, of*  
8 *such amount, necessary sums are available for providing*  
9 *protective services to the Secretary and investigating non-*  
10 *payment of child support cases for which non-payment is*  
11 *a Federal offense under 18 U.S.C. 228.*

12 *OFFICE FOR CIVIL RIGHTS*

13 *For expenses necessary for the Office for Civil Rights,*  
14 *\$30,328,000, together with not to exceed \$3,314,000 to be*  
15 *transferred and expended as authorized by section 201(g)(1)*  
16 *of the Social Security Act from the Hospital Insurance*  
17 *Trust Fund and the Supplemental Medical Insurance Trust*  
18 *Fund.*

19 *POLICY RESEARCH*

20 *For carrying out, to the extent not otherwise provided,*  
21 *research studies under section 1110 of the Social Security*  
22 *Act and title III of the Public Health Service Act,*  
23 *\$2,499,000: Provided, That in addition to amounts pro-*  
24 *vided herein, \$18,000,000 shall be available from amounts*  
25 *available under section 241 of the Public Health Service*  
26 *Act to carry out national health or human services research*

1 *and evaluation activities: Provided further, That the ex-*  
2 *penditure of any funds available under section 241 of the*  
3 *Public Health Service Act are subject to the requirements*  
4 *of section 205 of this Act.*

5 *RETIREMENT PAY AND MEDICAL BENEFITS FOR*  
6 *COMMISSIONED OFFICERS*

7 *For retirement pay and medical benefits of Public*  
8 *Health Service Commissioned Officers as authorized by law,*  
9 *for payments under the Retired Serviceman's Family Pro-*  
10 *tection Plan and Survivor Benefit Plan, for medical care*  
11 *of dependents and retired personnel under the Dependents'*  
12 *Medical Care Act (10 U.S.C. ch. 55 and 56), and for pay-*  
13 *ments pursuant to section 229(b) of the Social Security Act*  
14 *(42 U.S.C. 429(b)), such amounts as may be required dur-*  
15 *ing the current fiscal year. The following are definitions*  
16 *for the medical benefits of the Public Health Service Com-*  
17 *missioned Officers that apply to 10 U.S.C. chapter 56, sec-*  
18 *tion 1116(c). The source of funds for the monthly accrual*  
19 *payments into the Department of Defense Medicare-Eligible*  
20 *Retiree Health Care Fund shall be the Retirement Pay and*  
21 *Medical Benefits for Commissioned Officers account. For*  
22 *purposes of this Act, the term "pay of members" shall be*  
23 *construed to be synonymous with retirement payments to*  
24 *U.S. Public Health Service officers who are retired for age,*  
25 *disability, or length of service; payments to survivors of de-*  
26 *ceased officers; medical care to active duty and retired*

1 *members and dependents and beneficiaries; and for pay-*  
 2 *ments to the Social Security Administration for military*  
 3 *service credits; all of which payments are provided for by*  
 4 *the Retirement Pay and Medical Benefits for Commissioned*  
 5 *Officers account.*

6 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*

7 *For expenses necessary to support activities related to*  
 8 *countering potential biological, disease and chemical threats*  
 9 *to civilian populations, \$2,255,980,000: Provided, That this*  
 10 *amount is distributed as follows: Centers for Disease Con-*  
 11 *trol and Prevention, \$1,541,740,000 of which \$300,000,000*  
 12 *shall remain available until expended for the National*  
 13 *Pharmaceutical Stockpile; Office of the Secretary,*  
 14 *\$152,240,000; Health Resources and Services Administra-*  
 15 *tion, \$547,000,000; Substance Abuse and Mental Health*  
 16 *Services Administration, \$10,000,000; and the Agency for*  
 17 *Healthcare Research and Quality, \$5,000,000.*

18 *GENERAL PROVISIONS*

19 *SEC. 201. Funds appropriated in this title shall be*  
 20 *available for not to exceed \$50,000 for official reception and*  
 21 *representation expenses when specifically approved by the*  
 22 *Secretary.*

23 *SEC. 202. The Secretary shall make available through*  
 24 *assignment not more than 60 employees of the Public*  
 25 *Health Service to assist in child survival activities and to*  
 26 *work in AIDS programs through and with funds provided*

1 *by the Agency for International Development, the United*  
2 *Nations International Children's Emergency Fund or the*  
3 *World Health Organization.*

4       *SEC. 203. None of the funds appropriated under this*  
5 *Act may be used to implement section 399F(b) of the Public*  
6 *Health Service Act or section 1503 of the National Insti-*  
7 *tutes of Health Revitalization Act of 1993, Public Law 103-*  
8 *43.*

9       *SEC. 204. None of the funds appropriated in this Act*  
10 *for the National Institutes of Health, the Agency for*  
11 *Healthcare Research and Quality, and the Substance Abuse*  
12 *and Mental Health Services Administration shall be used*  
13 *to pay the salary of an individual, through a grant or other*  
14 *extramural mechanism, at a rate in excess of Executive*  
15 *Level I.*

16       *SEC. 205. None of the funds appropriated in this Act*  
17 *may be expended pursuant to section 241 of the Public*  
18 *Health Service Act, except for funds specifically provided*  
19 *for in this Act, or for other taps and assessments made by*  
20 *any office located in the Department of Health and Human*  
21 *Services, prior to the Secretary's preparation and submis-*  
22 *sion of a report to the Committee on Appropriations of the*  
23 *Senate and of the House detailing the planned uses of such*  
24 *funds.*



1 *the human immunodeficiency virus: Provided, That the*  
2 *Congress is promptly notified of the transfer.*

3       *SEC. 209. Of the amounts made available in this Act*  
4 *for the National Institutes of Health, the amount for re-*  
5 *search related to the human immunodeficiency virus, as*  
6 *jointly determined by the Director of the National Institutes*  
7 *of Health and the Director of the Office of AIDS Research,*  
8 *shall be made available to the “Office of AIDS Research”*  
9 *account. The Director of the Office of AIDS Research shall*  
10 *transfer from such account amounts necessary to carry out*  
11 *section 2353(d)(3) of the Public Health Service Act.*

12       *SEC. 210. None of the funds appropriated in this Act*  
13 *may be made available to any entity under title X of the*  
14 *Public Health Service Act unless the applicant for the*  
15 *award certifies to the Secretary that it encourages family*  
16 *participation in the decision of minors to seek family plan-*  
17 *ning services and that it provides counseling to minors on*  
18 *how to resist attempts to coerce minors into engaging in*  
19 *sexual activities.*

20       *SEC. 211. None of the funds appropriated by this Act*  
21 *(including funds appropriated to any trust fund) may be*  
22 *used to carry out the Medicare+Choice program if the Sec-*  
23 *retary denies participation in such program to an other-*  
24 *wise eligible entity (including a Provider Sponsored Orga-*  
25 *nization) because the entity informs the Secretary that it*

1 *will not provide, pay for, provide coverage of, or provide*  
2 *referrals for abortions: Provided, That the Secretary shall*  
3 *make appropriate prospective adjustments to the capitation*  
4 *payment to such an entity (based on an actuarially sound*  
5 *estimate of the expected costs of providing the service to such*  
6 *entity's enrollees): Provided further, That nothing in this*  
7 *section shall be construed to change the Medicare program's*  
8 *coverage for such services and a Medicare+Choice organiza-*  
9 *tion described in this section shall be responsible for inform-*  
10 *ing enrollees where to obtain information about all Medi-*  
11 *care covered services.*

12       *SEC. 212. Notwithstanding any other provision of law,*  
13 *no provider of services under title X of the Public Health*  
14 *Service Act shall be exempt from any State law requiring*  
15 *notification or the reporting of child abuse, child molesta-*  
16 *tion, sexual abuse, rape, or incest.*

17       *SEC. 213. The Foreign Operations, Export Financing,*  
18 *and Related Programs Appropriations Act, 1990 (Public*  
19 *Law 101-167) is amended—*

20               *(1) in section 599D (8 U.S.C. 1157 note)—*

21                       *(A) in subsection (b)(3), by striking “1997,*  
22                       *1998, 1999, 2000, and 2001” and inserting*  
23                       *“1997, 1998, 1999, 2000, 2001, 2002 and 2003”;*  
24                       *and*



1                   (B) in subsection (e), by striking “October  
2                   1, 2002” each place it appears and inserting  
3                   “October 1, 2003”; and

4                   (2) in section 599E (8 U.S.C. 1255 note) in sub-  
5                   section (b)(2), by striking “September 30, 2002” and  
6                   inserting “September 30, 2003”.

7           SEC. 214. (a) Except as provided by subsection (e)  
8 none of the funds appropriated by this Act may be used  
9 to withhold substance abuse funding from a State pursuant  
10 to section 1926 of the Public Health Service Act (42 U.S.C.  
11 300x–26) if such State certifies to the Secretary of Health  
12 and Human Services by May 1, 2003 that the State will  
13 commit additional State funds, in accordance with sub-  
14 section (b), to ensure compliance with State laws prohib-  
15 iting the sale of tobacco products to individuals under 18  
16 years of age.

17           (b) The amount of funds to be committed by a State  
18 under subsection (a) shall be equal to 1 percent of such  
19 State’s substance abuse block grant allocation for each per-  
20 centage point by which the State misses the retailer compli-  
21 ance rate goal established by the Secretary of Health and  
22 Human Services under section 1926 of such Act.

23           (c) The State is to maintain State expenditures in fis-  
24 cal year 2003 for tobacco prevention programs and for com-  
25 pliance activities at a level that is not less than the level

1 *of such expenditures maintained by the State for fiscal year*  
2 *2002, and adding to that level the additional funds for to-*  
3 *bacco compliance activities required under subsection (a).*  
4 *The State is to submit a report to the Secretary on all fiscal*  
5 *year 2002 State expenditures and all fiscal year 2003 obli-*  
6 *gations for tobacco prevention and compliance activities by*  
7 *program activity by July 31, 2003.*

8 *(d) The Secretary shall exercise discretion in enforcing*  
9 *the timing of the State obligation of the additional funds*  
10 *required by the certification described in subsection (a) as*  
11 *late as July 31, 2003.*

12 *(e) None of the funds appropriated by this Act may*  
13 *be used to withhold substance abuse funding pursuant to*  
14 *section 1926 from a territory that receives less than*  
15 *\$1,000,000.*

16 *SEC. 215. In order for the Centers for Disease Control*  
17 *and Prevention to carry out international health activities,*  
18 *including HIV/AIDS and other infectious disease, chronic*  
19 *and environmental disease, and other health activities*  
20 *abroad during fiscal year 2003, the Secretary of Health and*  
21 *Human Services is authorized to—*

22 *(1) utilize the authorities contained in subsection*  
23 *2(c) of the State Department Basic Authorities Act of*  
24 *1956, as amended; and*

1           (2) *utilize the authorities contained in 22 U.S.C.*  
2           *291 and 292 and directly or through contract or coop-*  
3           *erative agreement to lease, alter or renovate facilities*  
4           *in foreign countries, to carry out programs supported*  
5           *by this appropriation notwithstanding section 307 of*  
6           *the Public Health Service Act.*

7 *In exercising the authority set forth in paragraphs (1) and*  
8 *(2), the Secretary of Health and Human Services shall con-*  
9 *sult with the Department of State to assure that planned*  
10 *activities are within the legal strictures of the State Depart-*  
11 *ment Basic Authorities Act of 1956, as amended, and other*  
12 *applicable parts of title 22, United States Code.*

13       *SEC. 216. The Division of Federal Occupational*  
14 *Health may utilize personal services contracting to employ*  
15 *professional management/administrative and occupational*  
16 *health professionals.*

17       *SEC. 217. (a) Section 311 of the Older Americans Act*  
18 *of 1965 (42 U.S.C. 3030a) is amended—*

19           *(1) in subsection (b)—*

20                   *(A) in the caption, by striking “of cash or*  
21                   *commodities” and inserting “and payment”; and*

22                   *(B) in paragraph (1)—*

23                           *(i) by striking “The Secretary of Agri-*  
24                           *culture shall allot and provide in the form*  
25                           *of cash or commodities or a combination*

1           *thereof (at the discretion of the State) to*  
2           *each State agency” and inserting “The Sec-*  
3           *retary shall allot and provide, in accord-*  
4           *ance with this section, to or on behalf of*  
5           *each State agency”;* and

6                     *(ii) by striking “to each grantee” and*  
7                     *inserting “to or on behalf of each grantee”;*  
8                     *and*

9           (2) *in subsection (d)—*

10                    *(A) in the caption, to read as follows: “Op-*  
11                    *tion to obtain commodities from Secretary of Ag-*  
12                    *riculture”;*

13                    *(B) in paragraph (1), to read as follows:*  
14                    *“Each State agency and each grantee under title*  
15                    *VI shall be entitled to use all or any part of*  
16                    *amounts allotted under subsection (b) to obtain*  
17                    *from the Secretary of Agriculture commodities*  
18                    *available through any Federal food commodity*  
19                    *processing program, at the rates at which such*  
20                    *commodities are valued for purposes of such pro-*  
21                    *gram.”;*

22                    *(C) by redesignating paragraphs (2) and*  
23                    *(4) as paragraphs (4) and (5), respectively;*

24                    *(D) by striking paragraph (3);*

1                   (E) by adding after paragraph (1) the fol-  
2                   lowing new paragraphs:

3                   “(2) The Secretary of Agriculture shall deter-  
4                   mine and report to the Secretary, by such date as the  
5                   Secretary may require, the amount (if any) of its al-  
6                   lotment under subsection (b) which each State agency  
7                   and title VI grantee has elected to receive in the form  
8                   of commodities. Such amount shall include an  
9                   amount bearing the same ratio to the costs to the Sec-  
10                  retary of Agriculture of providing such commodities  
11                  under this subsection as the value of commodities re-  
12                  ceived by such State agency or title VI grantee under  
13                  this subsection bears to the total value of commodities  
14                  so received.

15                  “(3) From the allotment under subsection (b) for  
16                  each State agency and title VI grantee, the Secretary  
17                  shall first reimburse the Secretary of Agriculture for  
18                  costs of commodities received by such State agency or  
19                  grantee under this subsection, and shall then pay the  
20                  balance (if any) to such State agency or grantee.”;

21                  (F) in paragraph (4), as redesignated, in  
22                  the first sentence, to read as follows: “Each State  
23                  agency shall promptly and equitably disburse  
24                  amounts received under this subsection to recipi-  
25                  ents of grants and contracts.”; and

1                   (G) in paragraph (5), as redesignated, by  
2                   striking “donation” and inserting “provision”.

3           SEC. 218. Notwithstanding section 409B(c) of the Pub-  
4 lic Health Service Act regarding a limitation on the num-  
5 ber of such grants, funds appropriated in this Act may be  
6 expended by the Director of the National Institutes of  
7 Health to award Core Center Grants to encourage the devel-  
8 opment of innovative multidisciplinary research and pro-  
9 vide training concerning Parkinson’s disease. Each center  
10 funded under such grants shall be designated as a Morris  
11 K. Udall Center for Research on Parkinson’s Disease.

12           SEC. 219. The Supplemental Appropriations Act, 2001  
13 (Public Law 107–020) is amended, in the matter under the  
14 heading “LOW INCOME HOME ENERGY ASSISTANCE” under  
15 the heading “ADMINISTRATION FOR CHILDREN AND FAMI-  
16 LIES” under the heading “DEPARTMENT OF HEALTH  
17 AND HUMAN SERVICES”, in chapter 7 of title II, by  
18 striking “amount for” and all that follows, and inserting  
19 the following: “amount for making payments under title  
20 XXVI of the Omnibus Budget Reconciliation Act of 1981,  
21 \$300,000,000.”.

22           SEC. 220. (a) IN GENERAL.—In addition to amounts  
23 otherwise appropriated under this Act to carry out pro-  
24 grams and activities under title VIII of the Public Health  
25 Service Act, there are appropriated an additional

1 \$20,000,000, to remain available until expended, to carry  
 2 out programs and activities authorized under sections 831,  
 3 846, 846A, 851, 852, and 855 of such Act (as amended by  
 4 the Nurse Reinvestment Act (Public Law 107–205)).

5       *SEC. 221. GRANTS FOR PURCHASE OF ULTRASOUND*  
 6 *EQUIPMENT. The Secretary of Health and Human Services*  
 7 *may make grants for the purchase of ultrasound equipment.*  
 8 *Such ultrasound equipment shall be used by the recipients*  
 9 *of such grants to provide, under the direction and super-*  
 10 *vision of a licensed physician, free ultrasound examinations*  
 11 *to pregnant woman needing medical services: Provided,*  
 12 *That the Secretary shall give priority in awarding grants*  
 13 *to those organizations that agree to adhere to professional*  
 14 *guidelines for counseling pregnant women, whereby a preg-*  
 15 *nant woman is fully informed in a nonbiased manner about*  
 16 *all options.*

17       *This title may be cited as the “Department of Health*  
 18 *and Human Services Appropriations Act, 2003”.*

19       *TITLE III—DEPARTMENT OF EDUCATION*

20               *EDUCATION FOR THE DISADVANTAGED*

21       *For carrying out title I of the Elementary and Sec-*  
 22 *ondary Education Act of 1965 (“ESEA”) and section 418A*  
 23 *of the Higher Education Act of 1965, \$13,178,400,000, of*  
 24 *which \$4,354,199,000 shall become available on July 1,*  
 25 *2003, and shall remain available through September 30,*

1 2004, and of which \$8,627,301,000 shall become available  
2 on October 1, 2003, and shall remain available through  
3 September 30, 2004, for academic year 2003–2004: Pro-  
4 vided, That \$7,172,971,000 shall be available for basic  
5 grants under section 1124: Provided further, That up to  
6 \$3,500,000 of these funds shall be available to the Secretary  
7 of Education on October 1, 2002, to obtain updated edu-  
8 cational-agency-level census poverty data from the Bureau  
9 of the Census: Provided further, That \$1,365,031,000 shall  
10 be available for concentration grants under section 1124A:  
11 Provided further, That \$1,405,999,000 shall be available for  
12 targeted grants under section 1125: Provided further, That  
13 \$1,405,999,000 shall be available for education finance in-  
14 centive grants under section 1125A.

15 *IMPACT AID*

16 *For carrying out programs of financial assistance to*  
17 *federally affected schools authorized by title VIII of the Ele-*  
18 *mentary and Secondary Education Act of 1965,*  
19 *\$1,176,500,000, of which \$1,012,500,000 shall be for basic*  
20 *support payments under section 8003(b), \$52,000,000 shall*  
21 *be for payments for children with disabilities under section*  
22 *8003(d), \$47,000,000 shall be for construction under section*  
23 *8007 and shall remain available through September 30,*  
24 *2004, \$57,000,000 shall be for Federal property payments*  
25 *under section 8002, and \$8,000,000, to remain available*



1 *until expended, shall be for facilities maintenance under*  
2 *section 8008.*

3 *SCHOOL IMPROVEMENT PROGRAMS*

4 *For carrying out school improvement activities author-*  
5 *ized by titles II, IV, V, VI, and parts B and C of title VII*  
6 *of the Elementary and Secondary Education Act of 1965*  
7 *("ESEA"); part B of title II of the Higher Education Act;*  
8 *the McKinney-Vento Homeless Assistance Act; and the Civil*  
9 *Rights Act of 1964, \$7,788,329,000, of which \$500,000,000*  
10 *shall become available October 1, 2002, and shall remain*  
11 *available through September 30, 2004, of which*  
12 *\$3,818,517,000 shall become available on July 1, 2003, and*  
13 *remain available through September 30, 2004, and of which*  
14 *\$1,765,000,000 shall become available on October 1, 2003,*  
15 *and shall remain available through September 30, 2004, for*  
16 *academic year 2003–2004: Provided, That of the amount*  
17 *made available for subpart 3, part C, of title II of the*  
18 *ESEA, \$3,000,000 shall be used by the Center for Civic*  
19 *Education to implement a comprehensive program to im-*  
20 *prove public knowledge, understanding, and support of the*  
21 *Congress and the state legislatures: Provided further, That*  
22 *of the funds made available for subpart 2 of part A of title*  
23 *IV of the ESEA, \$5,000,000, to remain available until ex-*  
24 *pended, shall be for the Project School Emergency Response*  
25 *to Violence program to provide education-related services*  
26 *to local educational agencies in which the learning environ-*

1 *ment has been disrupted due to a violent or traumatic cri-*  
2 *sis: Provided further, That no funds appropriated under*  
3 *this heading may be used to carry out section 5494 under*  
4 *the Elementary and Secondary Education Act: Provided*  
5 *further, That \$735,661,000 shall be available to carry out*  
6 *part D of title V of the ESEA.*

7 *INDIAN EDUCATION*

8 *For expenses necessary to carry out, to the extent not*  
9 *otherwise provided, title VII, part A of the Elementary and*  
10 *Secondary Education Act of 1965, \$122,368,000.*

11 *ENGLISH LANGUAGE ACQUISITION*

12 *For carrying out title III, part A of the ESEA,*  
13 *\$690,000,000, of which \$494,000,000 shall become available*  
14 *on July 1, 2003, and shall remain available through Sep-*  
15 *tember 30, 2004.*

16 *SPECIAL EDUCATION*

17 *For carrying out the Individuals with Disabilities*  
18 *Education Act, \$9,691,424,000, of which \$3,335,233,000*  
19 *shall become available for obligation on July 1, 2003, and*  
20 *shall remain available through September 30, 2004, and of*  
21 *which \$6,072,000,000 shall become available on October 1,*  
22 *2003, and shall remain available through September 30,*  
23 *2004, for academic year 2003–2004: Provided, That*  
24 *\$9,500,000 shall be for Recording for the Blind and*  
25 *Dyslexic to support the development, production, and cir-*  
26 *culatation of recorded educational materials: Provided fur-*

1 *ther, That \$1,500,000 shall be for the recipient of funds pro-*  
2 *vided by Public Law 105–78 under section 687(b)(2)(G) of*  
3 *the Act to provide information on diagnosis, intervention,*  
4 *and teaching strategies for children with disabilities: Pro-*  
5 *vided further, That the amount for section 611(c) of the Act*  
6 *shall be equal to the amount available for that section in*  
7 *the Department of Education Appropriations Act, 2002, in-*  
8 *creased by the amount of inflation as specified in section*  
9 *611(f)(1)(B)(ii) of the Act.*

10 *REHABILITATION SERVICES AND DISABILITY RESEARCH*

11 *For carrying out, to the extent not otherwise provided,*  
12 *the Rehabilitation Act of 1973, the Assistive Technology Act*  
13 *of 1998, and the Helen Keller National Center Act,*  
14 *\$2,959,838,000, of which \$1,000,000 available for section*  
15 *303(b) of the Rehabilitation Act of 1973 shall be used to*  
16 *improve the quality of applied orthotic and prosthetic re-*  
17 *search and help meet the demand for provider services: Pro-*  
18 *vided, That the funds provided for title I of the Assistive*  
19 *Technology Act of 1998 (“the AT Act”) shall be allocated*  
20 *notwithstanding section 105(b)(1) of the AT Act: Provided*  
21 *further, That section 101(f) of the AT Act shall not limit*  
22 *the award of an extension grant to three years: Provided*  
23 *further, That no State or outlying area awarded funds*  
24 *under section 101 shall receive less than the amount re-*  
25 *ceived in fiscal year 2002: Provided further, That each*

1 *State shall be provided \$100,000 and each outlying area*  
 2 *\$30,000 for activities under section 102 of the AT Act.*

3 *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*

4 *AMERICAN PRINTING HOUSE FOR THE BLIND*

5 *For carrying out the Act of March 3, 1879, as amended*  
 6 *(20 U.S.C. 101 et seq.), \$15,500,000.*

7 *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

8 *For the National Technical Institute for the Deaf*  
 9 *under titles I and II of the Education of the Deaf Act of*  
 10 *1986 (20 U.S.C. 4301 et seq.), \$54,600,000, of which*  
 11 *\$1,600,000 shall be for construction and shall remain avail-*  
 12 *able until expended: Provided, That from the total amount*  
 13 *available, the Institute may at its discretion use funds for*  
 14 *the endowment program as authorized under section 207.*

15 *GALLAUDET UNIVERSITY*

16 *For the Kendall Demonstration Elementary School,*  
 17 *the Model Secondary School for the Deaf, and the partial*  
 18 *support of Gallaudet University under titles I and II of*  
 19 *the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et*  
 20 *seq.), \$98,438,000: Provided, That from the total amount*  
 21 *available, the University may at its discretion use funds*  
 22 *for the endowment program as authorized under section*  
 23 *207.*

24 *VOCATIONAL AND ADULT EDUCATION*

25 *For carrying out, to the extent not otherwise provided,*  
 26 *the Carl D. Perkins Vocational and Applied Technology*

1 *Education Act, and the Adult Education and Family Lit-*  
2 *eracy Act, and title VIII–D of the Higher Education Act*  
3 *of 1965, as amended, and Public Law 102–73,*  
4 *\$1,938,060,000, of which \$1,140,060,000 shall become avail-*  
5 *able on July 1, 2003 and shall remain available through*  
6 *September 30, 2004 and of which \$791,000,000 shall become*  
7 *available on October 1, 2003 and shall remain available*  
8 *through September 30, 2004: Provided, That of the amounts*  
9 *made available for the Carl D. Perkins Vocational and Ap-*  
10 *plied Technology Education Act, \$7,000,000 shall be for*  
11 *tribally controlled postsecondary vocational and technical*  
12 *institutions under section 117: Provided further, That not-*  
13 *withstanding any other provision of law or any regulation,*  
14 *the Secretary of Education shall not require the use of a*  
15 *restricted indirect cost rate for grants issued pursuant to*  
16 *section 117 of the Carl D. Perkins Vocational and Applied*  
17 *Technology Education Act: Provided further, That*  
18 *\$10,000,000 shall be for carrying out section 118 of such*  
19 *Act: Provided further, That of the amounts made available*  
20 *for the Carl D. Perkins Vocational and Applied Technology*  
21 *Education Act, \$5,000,000 shall be for demonstration ac-*  
22 *tivities authorized by section 207: Provided further, That*  
23 *of the amount provided for Adult Education State Grants,*  
24 *\$70,000,000 shall be made available for integrated English*  
25 *literacy and civics education services to immigrants and*

1 *other limited English proficient populations: Provided fur-*  
2 *ther, That of the amount reserved for integrated English*  
3 *literacy and civics education, notwithstanding section 211*  
4 *of the Adult Education and Family Literacy Act, 65 per-*  
5 *cent shall be allocated to States based on a State's absolute*  
6 *need as determined by calculating each State's share of a*  
7 *10-year average of the Immigration and Naturalization*  
8 *Service data for immigrants admitted for legal permanent*  
9 *residence for the 10 most recent years, and 35 percent allo-*  
10 *cated to States that experienced growth as measured by the*  
11 *average of the 3 most recent years for which Immigration*  
12 *and Naturalization Service data for immigrants admitted*  
13 *for legal permanent residence are available, except that no*  
14 *State shall be allocated an amount less than \$60,000: Pro-*  
15 *vided further, That of the amounts made available for the*  
16 *Adult Education and Family Literacy Act, \$9,500,000*  
17 *shall be for national leadership activities under section 243*  
18 *and \$6,560,000 shall be for the National Institute for Lit-*  
19 *eracy under section 242: Provided further, That*  
20 *\$25,000,000 shall be for Youth Offender Grants, of which*  
21 *\$5,000,000 shall be used in accordance with section 601 of*  
22 *Public Law 102-73 as that section was in effect prior to*  
23 *the enactment of Public Law 105-220.*

24

*STUDENT FINANCIAL ASSISTANCE*

25 *For carrying out subparts 1, 3 and 4 of part A, section*  
26 *428K, part C and part E of title IV of the Higher Edu-*

1 *ction Act of 1965, as amended, \$13,151,500,000, which*  
2 *shall remain available through September 30, 2004.*

3 *The maximum Pell Grant for which a student shall*  
4 *be eligible during award year 2003–2004 shall be \$4,100.*

5 *HIGHER EDUCATION*

6 *For carrying out, to the extent not otherwise provided,*  
7 *section 121 and titles II, III, IV, V, VI, and VII of the*  
8 *Higher Education Act of 1965 (“HEA”), as amended, title*  
9 *VIII of the Higher Education Amendments of 1998, and*  
10 *the Mutual Educational and Cultural Exchange Act of*  
11 *1961, \$2,047,640,000, of which \$3,000,000 for interest sub-*  
12 *sidies authorized by section 121 of the HEA, shall remain*  
13 *available until expended: Provided, That \$10,000,000, to re-*  
14 *main available through September 30, 2004, shall be avail-*  
15 *able to fund fellowships for academic year 2004–2005 under*  
16 *part A, subpart 1 of title VII of said Act, under the terms*  
17 *and conditions of part A, subpart 1: Provided further, That*  
18 *\$1,000,000 is for data collection and evaluation activities*  
19 *for programs under the HEA, including such activities*  
20 *needed to comply with the Government Performance and*  
21 *Results Act of 1993: Provided further, That notwith-*  
22 *standing any other provision of law, funds made available*  
23 *in this Act to carry out title VI of the HEA and section*  
24 *102(b)(6) of the Mutual Educational and Cultural Ex-*  
25 *change Act of 1961 may be used to support visits and study*  
26 *in foreign countries by individuals who are participating*

1 *in advanced foreign language training and international*  
 2 *studies in areas that are vital to United States national*  
 3 *security and who plan to apply their language skills and*  
 4 *knowledge of these countries in the fields of government, the*  
 5 *professions, or international development: Provided further,*  
 6 *That up to one percent of the funds referred to in the pre-*  
 7 *ceding proviso may be used for program evaluation, na-*  
 8 *tional outreach, and information dissemination activities.*

9 *HOWARD UNIVERSITY*

10 *For partial support of Howard University (20 U.S.C.*  
 11 *121 et seq.), \$239,974,000, of which not less than \$3,600,000*  
 12 *shall be for a matching endowment grant pursuant to the*  
 13 *Howard University Endowment Act (Public Law 98-480)*  
 14 *and shall remain available until expended.*

15 *COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS*

16 *PROGRAM*

17 *For Federal administrative expenses authorized under*  
 18 *section 121 of the Higher Education Act of 1965, \$762,000*  
 19 *to carry out activities related to existing facility loans en-*  
 20 *tered into under the Higher Education Act of 1965.*

21 *HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL*

22 *FINANCING PROGRAM ACCOUNT*

23 *The aggregate principal amount of outstanding bonds*  
 24 *insured pursuant to section 344 of title III, part D of the*  
 25 *Higher Education Act of 1965 shall not exceed*  
 26 *\$357,000,000, and the cost, as defined in section 502 of the*



1 *Congressional Budget Act of 1974, of such bonds shall not*  
2 *exceed zero.*

3 *For administrative expenses to carry out the Histori-*  
4 *cally Black College and University Capital Financing Pro-*  
5 *gram entered into pursuant to title III, part D of the High-*  
6 *er Education Act of 1965, as amended, \$208,000.*

7 *INSTITUTE OF EDUCATION SCIENCE*

8 *For carrying out activities authorized by Public Law*  
9 *107-279, \$397,387,000: Provided, That of the amount ap-*  
10 *propriated, \$89,500,000 shall be available for obligation*  
11 *through September 30, 2004.*

12 *DEPARTMENTAL MANAGEMENT*

13 *PROGRAM ADMINISTRATION*

14 *For carrying out, to the extent not otherwise provided,*  
15 *the Department of Education Organization Act, including*  
16 *rental of conference rooms in the District of Columbia and*  
17 *hire of three passenger motor vehicles, \$412,093,000, of*  
18 *which \$12,795,000, to remain available until expended,*  
19 *shall be for building alterations and related expenses for*  
20 *the modernization of the Mary E. Switzer Building in*  
21 *Washington, D.C.*

22 *OFFICE FOR CIVIL RIGHTS*

23 *For expenses necessary for the Office for Civil Rights,*  
24 *as authorized by section 203 of the Department of Edu-*  
25 *cation Organization Act, \$86,276,000.*

1                    *OFFICE OF THE INSPECTOR GENERAL*

2            *For expenses necessary for the Office of the Inspector*  
3 *General, as authorized by section 212 of the Department*  
4 *of Education Organization Act, \$41,000,000.*

5                    *STUDENT AID ADMINISTRATION*

6            *For Federal administrative expenses (in addition to*  
7 *funds made available under section 458), to carry out part*  
8 *D of title I, and subparts 1, 3, and 4 of part A, and parts*  
9 *B, C, D and E of title IV of the Higher Education Act*  
10 *of 1965, as amended, \$105,388,000.*

11                    *GENERAL PROVISIONS*

12            *SEC. 301. No funds appropriated in this Act may be*  
13 *used for the transportation of students or teachers (or for*  
14 *the purchase of equipment for such transportation) in order*  
15 *to overcome racial imbalance in any school or school system,*  
16 *or for the transportation of students or teachers (or for the*  
17 *purchase of equipment for such transportation) in order to*  
18 *carry out a plan of racial desegregation of any school or*  
19 *school system.*

20            *SEC. 302. None of the funds contained in this Act shall*  
21 *be used to require, directly or indirectly, the transportation*  
22 *of any student to a school other than the school which is*  
23 *nearest the student's home, except for a student requiring*  
24 *special education, to the school offering such special edu-*  
25 *cation, in order to comply with title VI of the Civil Rights*  
26 *Act of 1964. For the purpose of this section an indirect re-*



1 *in the absence of funds under this subpart, would be ex-*  
2 *pended for activities authorized under this subpart, and not*  
3 *to supplant those non-Federal funds.”.*

4       *SEC. 306. Notwithstanding section 1124(c)(2) of the*  
5 *Elementary and Secondary Education Act of 1965 (20*  
6 *U.S.C. 6333(c)(2)), for each fiscal year, if the local edu-*  
7 *cational agency serving New York City receives an alloca-*  
8 *tion under section 1122 of the Elementary and Secondary*  
9 *Education Act of 1965 (20 U.S.C. 6332) in an amount that*  
10 *is greater than the amount received by the agency under*  
11 *section 1122 of the Elementary and Secondary Education*  
12 *Act of 1965 (20 U.S.C. 6332) for fiscal year 2002, then—*

13           *(1) the agency shall distribute any funds received*  
14           *under section 1122 of the Elementary and Secondary*  
15           *Education Act of 1965 (20 U.S.C. 6332) in excess of*  
16           *the amount of the fiscal year 2002 allocation con-*  
17           *sistent with section 1113(c) of the Elementary and*  
18           *Secondary Education Act of 1965 (20 U.S.C.*  
19           *6313(c)); and*

20           *(2) each county in New York City shall receive*  
21           *an amount from the agency that is not less than the*  
22           *amount the county received in fiscal year 2002.*

23       *SEC. 307. Section 7304 of the No Child Left Behind*  
24 *Act of 2001, Public Law 107–110 is amended—*

1           (1) by striking “(a)(2)(P) Dropout prevention  
2           programs such as” and inserting “(a)(2)(P) Dropout  
3           prevention programs operated by”; and

4           (2) by striking “(a)(2)(S) Provision of oper-  
5           ational support and purchasing equipment,” and in-  
6           serting “(a)(2)(S) Provision of operational support  
7           and construction funding, and purchasing of equip-  
8           ment,”.

9           SEC. 308. Section 7205 of the No Child Left Behind  
10          Act of 2001, Public Law 107–110 is amended by adding  
11          the following new subsection after subsection (L):

12                       “(M) construction, renovation, and mod-  
13                       ernization of any elementary school, secondary  
14                       school, or structure related to an elementary  
15                       school or secondary school, run by the Depart-  
16                       ment of Education of the State of Hawaii, that  
17                       serves a predominantly Native Hawaiian stu-  
18                       dent body.”.

19          SEC. 309. FUNDING FOR INNOVATIVE PROGRAMS. In  
20          addition to any amounts otherwise appropriated under this  
21          Act for part A of title I of the Elementary and Secondary  
22          Education Act of 1965, the following sums are appro-  
23          priated, out of any money in the Treasury not otherwise  
24          appropriated for the fiscal year ending September 30, 2003,  
25          \$5,000,000,000 for carrying out such part, to remain avail-

1 *able through September 30, 2004: Provided, That notwith-*  
2 *standing any other provision of this Act, any amounts ap-*  
3 *propriated for programs or activities under title III of Di-*  
4 *vision G that are in excess of \$54,195,685,000 shall be dis-*  
5 *tributed to States and local educational agencies in accord-*  
6 *ance with sections 5111 and 5112 of the Elementary and*  
7 *Secondary Education Act of 1965 to be used by such States*  
8 *and local educational agencies to carry out any activity*  
9 *authorized under the Elementary and Secondary Education*  
10 *Act of 1965, the Individuals with Disabilities in Education*  
11 *Act, or the Higher Education Act of 1965, to remain avail-*  
12 *able through September 30, 2004: Provided further, That*  
13 *the percentage amount of any across-the-board rescission*  
14 *provided for under section 601 of Division N of this Act*  
15 *shall be increased by the percentage amount necessary to*  
16 *rescind an amount of funds equal to the total amounts ap-*  
17 *propriated in excess of \$54,195,685,000 for title III of Divi-*  
18 *sion G.*

19       *SEC. 310. FUNDING FOR THE INDIVIDUALS WITH DIS-*  
20 *ABILITIES EDUCATION ACT. Notwithstanding any other*  
21 *provision of this Act, in addition to any amounts otherwise*  
22 *appropriated under this Act for support of part B of the*  
23 *Individuals with Disabilities Education Act other than sec-*  
24 *tion 619 of such part, the following sum is appropriated*  
25 *out of any money in the Treasury not otherwise appro-*

1 *priated for the fiscal year ending September 30, 2003,*  
2 *\$1,500,000,000, which shall become available on October 1,*  
3 *2003, and shall remain available through September 30,*  
4 *2004, for academic year 2003–2004: Provided, That not-*  
5 *withstanding any other provision of this Act, funds pro-*  
6 *vided under this section shall not result in a further across-*  
7 *the-board rescission under section 601 of division N.*

8 *SEC. 311. FUNDING FOR AFTER-SCHOOL PROGRAMS.*

9 *(a) FINDINGS.—Congress finds that:*

10 *(1) There remains a great need for after-school*  
11 *programs. The Census Bureau reported that at least*  
12 *8 to 15 million children have no place to go after*  
13 *school is out.*

14 *(2) According to the FBI, youth are most at risk*  
15 *for committing violent acts and being victims of vio-*  
16 *lent crimes between 3:00 p.m. and 8:00 p.m.—after*  
17 *school is out and before parents arrive home.*

18 *(3) Studies show that organized extracurricular*  
19 *activities, such as after-school programs, reduce crime,*  
20 *drug use, and teenage pregnancy.*

21 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
22 *ate that every effort should be made to—*

23 *(1) accommodate the waiting lists of children*  
24 *needing access to after-school programs; and*

1           (2) *fund after-school programs at the level au-*  
 2           *thorized in the Leave No Child Behind Act.*

3           *SEC. 312. Notwithstanding any other provision of this*  
 4           *Act, the \$6,667,533,000 provided for the Head Start Act*  
 5           *shall be exempt from the across-the-board rescission under*  
 6           *section 601 of division N.*

7           *This title may be cited as the “Department of Edu-*  
 8           *cation Appropriations Act, 2003”.*

9                           *TITLE IV—RELATED AGENCIES*

10                           *ARMED FORCES RETIREMENT HOME*

11           *For expenses necessary for the Armed Forces Retire-*  
 12           *ment Home to operate and maintain the Armed Forces Re-*  
 13           *tirement Home—Washington and the Armed Forces Retire-*  
 14           *ment Home—Gulfport, to be paid from funds available in*  
 15           *the Armed Forces Retirement Home Trust Fund,*  
 16           *\$67,340,000, of which \$5,712,000 shall remain available*  
 17           *until expended for construction and renovation of the phys-*  
 18           *ical plants at the Armed Forces Retirement Home—Wash-*  
 19           *ington and the Armed Forces Retirement Home—Gulfport:*  
 20           *Provided, That, notwithstanding any other provision of*  
 21           *law, a single contract or related contracts for development*  
 22           *and construction, to include construction of a facility at*  
 23           *the United States Naval Home, may be employed which col-*  
 24           *lectively include the full scope of the project: Provided fur-*  
 25           *ther, That the solicitation and contract shall contain the*



1 *clause “availability of funds” found at 48 CFR 52.232–18*  
2 *and 252.232–7007, Limitation of Government Obligations.*

3 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*  
4 *DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING*  
5 *EXPENSES*

6 *For expenses necessary for the Corporation for Na-*  
7 *tional and Community Service to carry out the provisions*  
8 *of the Domestic Volunteer Service Act of 1973, as amended,*  
9 *\$351,063,000: Provided, That none of the funds made avail-*  
10 *able to the Corporation for National and Community Serv-*  
11 *ice in this Act for activities authorized by part E of title*  
12 *II of the Domestic Volunteer Service Act of 1973 shall be*  
13 *used to provide stipends or other monetary incentives to vol-*  
14 *unteers or volunteer leaders whose incomes exceed the re-*  
15 *strictions outlined in Part B of title II of such Act.*

16 *CORPORATION FOR PUBLIC BROADCASTING*

17 *For payment to the Corporation for Public Broad-*  
18 *casting, as authorized by the Communications Act of 1934,*  
19 *an amount which shall be available within limitations spec-*  
20 *ified by that Act, for the fiscal year 2005, \$395,000,000:*  
21 *Provided, That no funds made available to the Corporation*  
22 *for Public Broadcasting by this Act shall be used to pay*  
23 *for receptions, parties, or similar forms of entertainment*  
24 *for Government officials or employees: Provided further,*  
25 *That none of the funds contained in this paragraph shall*

1 *be available or used to aid or support any program or activ-*  
2 *ity from which any person is excluded, or is denied benefits,*  
3 *or is discriminated against, on the basis of race, color, na-*  
4 *tional origin, religion, or sex: Provided further, That for*  
5 *fiscal year 2003, in addition to the amounts provided above,*  
6 *\$48,744,000, for costs related to digital program produc-*  
7 *tion, development, and distribution, associated with the*  
8 *transition of public broadcasting to digital broadcasting, to*  
9 *be awarded as determined by the Corporation in consulta-*  
10 *tion with public radio and television licensees or permittees,*  
11 *or their designated representatives.*

12 *FEDERAL MEDIATION AND CONCILIATION SERVICE*

13 *SALARIES AND EXPENSES*

14 *For expenses necessary for the Federal Mediation and*  
15 *Conciliation Service to carry out the functions vested in*  
16 *it by the Labor Management Relations Act, 1947 (29 U.S.C.*  
17 *171–180, 182–183), including hire of passenger motor vehi-*  
18 *cles; for expenses necessary for the Labor-Management Co-*  
19 *operation Act of 1978 (29 U.S.C. 175a); and for expenses*  
20 *necessary for the Service to carry out the functions vested*  
21 *in it by the Civil Service Reform Act, Public Law 95–454*  
22 *(5 U.S.C. ch. 71), \$40,718,000, including \$1,500,000, to re-*  
23 *main available through September 30, 2004, for activities*  
24 *authorized by the Labor-Management Cooperation Act of*  
25 *1978 (29 U.S.C. 175a): Provided, That notwithstanding 31*

1 *U.S.C. 3302, fees charged, up to full-cost recovery, for spe-*  
2 *cial training activities and other conflict resolution services*  
3 *and technical assistance, including those provided to foreign*  
4 *governments and international organizations, and for arbi-*  
5 *tration services shall be credited to and merged with this*  
6 *account, and shall remain available until expended: Pro-*  
7 *vided further, That fees for arbitration services shall be*  
8 *available only for education, training, and professional de-*  
9 *velopment of the agency workforce: Provided further, That*  
10 *the Director of the Service is authorized to accept and use*  
11 *on behalf of the United States gifts of services and real, per-*  
12 *sonal, or other property in the aid of any projects or func-*  
13 *tions within the Director's jurisdiction.*

14 *FEDERAL MINE SAFETY AND HEALTH REVIEW*

15 *COMMISSION*

16 *SALARIES AND EXPENSES*

17 *For expenses necessary for the Federal Mine Safety*  
18 *and Health Review Commission (30 U.S.C. 801 et seq.),*  
19 *\$7,127,000.*

20 *INSTITUTE OF MUSEUM AND LIBRARY SERVICES*

21 *For carrying out the Museum and Library Services*  
22 *Act, \$203,000,000.*

1            *MEDICARE PAYMENT ADVISORY COMMISSION*2                            *SALARIES AND EXPENSES*

3            *For expenses necessary to carry out section 1805 of the*  
4 *Social Security Act, \$8,250,000, to be transferred to this*  
5 *appropriation from the Federal Hospital Insurance and the*  
6 *Federal Supplementary Medical Insurance Trust Funds.*

7            *NATIONAL COMMISSION ON LIBRARIES AND INFORMATION*8                            *SCIENCE*9                            *SALARIES AND EXPENSES*

10          *For necessary expenses for the National Commission*  
11 *on Libraries and Information Science, established by the*  
12 *Act of July 20, 1970 (Public Law 91-345, as amended),*  
13 *\$1,000,000.*

14            *NATIONAL COUNCIL ON DISABILITY*15                            *SALARIES AND EXPENSES*

16          *For expenses necessary for the National Council on*  
17 *Disability as authorized by title IV of the Rehabilitation*  
18 *Act of 1973, as amended, \$2,830,000.*

19            *NATIONAL LABOR RELATIONS BOARD*20                            *SALARIES AND EXPENSES*

21          *For expenses necessary for the National Labor Rela-*  
22 *tions Board to carry out the functions vested in it by the*  
23 *Labor-Management Relations Act, 1947, as amended (29*  
24 *U.S.C. 141-167), and other laws, \$238,223,000: Provided,*  
25 *That no part of this appropriation shall be available to or-*

1 *ganize or assist in organizing agricultural laborers or used*  
 2 *in connection with investigations, hearings, directives, or*  
 3 *orders concerning bargaining units composed of agricul-*  
 4 *tural laborers as referred to in section 2(3) of the Act of*  
 5 *July 5, 1935 (29 U.S.C. 152), and as amended by the*  
 6 *Labor-Management Relations Act, 1947, as amended, and*  
 7 *as defined in section 3(f) of the Act of June 25, 1938 (29*  
 8 *U.S.C. 203), and including in said definition employees en-*  
 9 *gaged in the maintenance and operation of ditches, canals,*  
 10 *reservoirs, and waterways when maintained or operated on*  
 11 *a mutual, nonprofit basis and at least 95 percent of the*  
 12 *water stored or supplied thereby is used for farming pur-*  
 13 *poses.*

14 *NATIONAL MEDIATION BOARD*

15 *SALARIES AND EXPENSES*

16 *For expenses necessary to carry out the provisions of*  
 17 *the Railway Labor Act, as amended (45 U.S.C. 151–188),*  
 18 *including emergency boards appointed by the President,*  
 19 *\$11,203,000.*

20 *OCCUPATIONAL SAFETY AND HEALTH REVIEW*

21 *COMMISSION*

22 *SALARIES AND EXPENSES*

23 *For expenses necessary for the Occupational Safety*  
 24 *and Health Review Commission (29 U.S.C. 661),*  
 25 *\$9,577,000.*

1 *RAILROAD RETIREMENT BOARD*2 *DUAL BENEFITS PAYMENTS ACCOUNT*

3 *For payment to the Dual Benefits Payments Account,*  
4 *authorized under section 15(d) of the Railroad Retirement*  
5 *Act of 1974, \$132,000,000, which shall include amounts be-*  
6 *coming available in fiscal year 2003 pursuant to section*  
7 *224(c)(1)(B) of Public Law 98-76; and in addition, an*  
8 *amount, not to exceed 2 percent of the amount provided*  
9 *herein, shall be available proportional to the amount by*  
10 *which the product of recipients and the average benefit re-*  
11 *ceived exceeds \$132,000,000: Provided, That the total*  
12 *amount provided herein shall be credited in 12 approxi-*  
13 *mately equal amounts on the first day of each month in*  
14 *the fiscal year.*

15 *FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT*16 *ACCOUNTS*

17 *For payment to the accounts established in the Treas-*  
18 *ury for the payment of benefits under the Railroad Retire-*  
19 *ment Act for interest earned on unnegotiated checks,*  
20 *\$150,000, to remain available through September 30, 2004,*  
21 *which shall be the maximum amount available for payment*  
22 *pursuant to section 417 of Public Law 98-76.*

23 *LIMITATION ON ADMINISTRATION*

24 *For necessary expenses for the Railroad Retirement*  
25 *Board for administration of the Railroad Retirement Act*  
26 *and the Railroad Unemployment Insurance Act,*

1 \$97,720,000, to be derived in such amounts as determined  
2 by the Board from the railroad retirement accounts and  
3 from moneys credited to the railroad unemployment insur-  
4 ance administration fund: Provided, That notwithstanding  
5 any other provision of law, no monies made available under  
6 this head for administration of the Railroad Retirement or  
7 Railroad Unemployment Insurance Acts shall be available  
8 for payment of charges, in excess of actual rent costs, pursu-  
9 ant to section 210(j) of the Federal Property and Adminis-  
10 trative Services Act of 1949, as amended (40 U.S.C. 490(j)).

11 *LIMITATION ON THE OFFICE OF INSPECTOR GENERAL*

12 *For expenses necessary for the Office of Inspector Gen-*  
13 *eral for audit, investigatory and review activities, as au-*  
14 *thorized by the Inspector General Act of 1978, as amended,*  
15 *not more than \$6,300,000, to be derived from the railroad*  
16 *retirement accounts and railroad unemployment insurance*  
17 *account: Provided, That none of the funds made available*  
18 *in any other paragraph of this Act may be transferred to*  
19 *the Office; used to carry out any such transfer; used to pro-*  
20 *vide any office space, equipment, office supplies, commu-*  
21 *nications facilities or services, maintenance services, or ad-*  
22 *ministrative services for the Office; used to pay any salary,*  
23 *benefit, or award for any personnel of the Office; used to*  
24 *pay any other operating expense of the Office; or used to*  
25 *reimburse the Office for any service provided, or expense*  
26 *incurred, by the Office: Provided further, That funds made*

1 *available under the heading in this Act, or subsequent De-*  
2 *partments of Labor, Health and Human Services, and Edu-*  
3 *cation, and Related Agencies Appropriations Act, may be*  
4 *used for any audit, investigation, or review of the Medicare*  
5 *program.*

6 *SOCIAL SECURITY ADMINISTRATION*

7 *PAYMENTS TO SOCIAL SECURITY TRUST FUNDS*

8 *For payment to the Federal Old-Age and Survivors In-*  
9 *surance and the Federal Disability Insurance trust funds,*  
10 *as provided under sections 201(m), 228(g), and 1131(b)(2)*  
11 *of the Social Security Act, \$20,400,000.*

12 *SPECIAL BENEFITS FOR DISABLED COAL MINERS*

13 *For carrying out title IV of the Federal Mine Safety*  
14 *and Health Act of 1977, \$300,177,000, to remain available*  
15 *until expended.*

16 *For making, after July 31 of the current fiscal year,*  
17 *benefit payments to individuals under title IV of the Fed-*  
18 *eral Mine Safety and Health Act of 1977, for costs incurred*  
19 *in the current fiscal year, such amounts as may be nec-*  
20 *essary.*

21 *For making benefit payments under title IV of the Fed-*  
22 *eral Mine Safety and Health Act of 1977 for the first quar-*  
23 *ter of fiscal year 2004, \$97,000,000, to remain available*  
24 *until expended.*



1            *SUPPLEMENTAL SECURITY INCOME PROGRAM*

2            *For carrying out titles XI and XVI of the Social Secu-*  
3 *rity Act, section 401 of Public Law 92-603, section 212*  
4 *of Public Law 93-66, as amended, and section 405 of Public*  
5 *Law 95-216, including payment to the Social Security*  
6 *trust funds for administrative expenses incurred pursuant*  
7 *to section 201(g)(1) of the Social Security Act,*  
8 *\$23,914,392,000, to remain available until expended: Pro-*  
9 *vided, That any portion of the funds provided to a State*  
10 *in the current fiscal year and not obligated by the State*  
11 *during that year shall be returned to the Treasury.*

12           *For making, after June 15 of the current fiscal year,*  
13 *benefit payments to individuals under title XVI of the So-*  
14 *cial Security Act, for unanticipated costs incurred for the*  
15 *current fiscal year, such sums as may be necessary.*

16           *For making benefit payments under title XVI of the*  
17 *Social Security Act for the first quarter of fiscal year 2004,*  
18 *\$11,080,000,000, to remain available until expended.*

19           *LIMITATION ON ADMINISTRATIVE EXPENSES*

20           *For necessary expenses, including the hire of two pas-*  
21 *senger motor vehicles, and not to exceed \$20,000 for official*  
22 *reception and representation expenses, not more than*  
23 *\$7,825,000,000 may be expended, as authorized by section*  
24 *201(g)(1) of the Social Security Act, from any one or all*  
25 *of the trust funds referred to therein: Provided, That not*  
26 *less than \$1,800,000 shall be for the Social Security Advi-*

1 *sory Board: Provided further, That unobligated balances of*  
2 *funds provided under this paragraph at the end of fiscal*  
3 *year 2003 not needed for fiscal year 2003 shall remain*  
4 *available until expended to invest in the Social Security*  
5 *Administration information technology and telecommuni-*  
6 *cations hardware and software infrastructure, including re-*  
7 *lated equipment and non-payroll administrative expenses*  
8 *associated solely with this information technology and tele-*  
9 *communications infrastructure: Provided further, That re-*  
10 *imbursement to the trust funds under this heading for ex-*  
11 *penditures for official time for employees of the Social Secu-*  
12 *rity Administration pursuant to section 7131 of title 5,*  
13 *United States Code, and for facilities or support services*  
14 *for labor organizations pursuant to policies, regulations, or*  
15 *procedures referred to in section 7135(b) of such title shall*  
16 *be made by the Secretary of the Treasury, with interest,*  
17 *from amounts in the general fund not otherwise appro-*  
18 *priated, as soon as possible after such expenditures are*  
19 *made.*

20 *In addition, \$111,000,000 to be derived from adminis-*  
21 *tration fees in excess of \$5.00 per supplementary payment*  
22 *collected pursuant to section 1616(d) of the Social Security*  
23 *Act or section 212(b)(3) of Public Law 93-66, which shall*  
24 *remain available until expended. To the extent that the*  
25 *amounts collected pursuant to such section 1616(d) or*

1 212(b)(3) in fiscal year 2003 exceed \$111,000,000, the  
2 amounts shall be available in fiscal year 2004 only to the  
3 extent provided in advance in appropriations Acts.

4 From funds previously appropriated for this purpose,  
5 any unobligated balances at the end of fiscal year 2002 shall  
6 be available to continue Federal-State partnerships which  
7 will evaluate means to promote Medicare buy-in programs  
8 targeted to elderly and disabled individuals under titles  
9 XVIII and XIX of the Social Security Act.

10 OFFICE OF INSPECTOR GENERAL  
11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses necessary for the Office of Inspector Gen-  
13 eral in carrying out the provisions of the Inspector General  
14 Act of 1978, as amended, \$21,000,000, together with not to  
15 exceed \$62,000,000, to be transferred and expended as au-  
16 thorized by section 201(g)(1) of the Social Security Act from  
17 the Federal Old-Age and Survivors Insurance Trust Fund  
18 and the Federal Disability Insurance Trust Fund.

19 In addition, an amount not to exceed 3 percent of the  
20 total provided in this appropriation may be transferred  
21 from the "Limitation on Administrative Expenses", Social  
22 Security Administration, to be merged with this account,  
23 to be available for the time and purposes for which this  
24 account is available: Provided, That notice of such transfers  
25 shall be transmitted promptly to the Committees on Appro-  
26 priations of the House and Senate.

1                    *UNITED STATES INSTITUTE OF PEACE*  
2                    *OPERATING EXPENSES*

3            *For necessary expenses of the United States Institute*  
4 *of Peace as authorized in the United States Institute of*  
5 *Peace Act, \$16,200,000.*

6                    *TITLE V—GENERAL PROVISIONS*

7            *SEC. 501. The Secretaries of Labor, Health and*  
8 *Human Services, and Education are authorized to transfer*  
9 *unexpended balances of prior appropriations to accounts*  
10 *corresponding to current appropriations provided in this*  
11 *Act: Provided, That such transferred balances are used for*  
12 *the same purpose, and for the same periods of time, for*  
13 *which they were originally appropriated.*

14            *SEC. 502. No part of any appropriation contained in*  
15 *this Act shall remain available for obligation beyond the*  
16 *current fiscal year unless expressly so provided herein.*

17            *SEC. 503. (a) No part of any appropriation contained*  
18 *in this Act shall be used, other than for normal and recog-*  
19 *nized executive-legislative relationships, for publicity or*  
20 *propaganda purposes, for the preparation, distribution, or*  
21 *use of any kit, pamphlet, booklet, publication, radio, tele-*  
22 *vision, or video presentation designed to support or defeat*  
23 *legislation pending before the Congress or any State legisla-*  
24 *ture, except in presentation to the Congress or any State*  
25 *legislature itself.*

1       (b) *No part of any appropriation contained in this*  
2 *Act shall be used to pay the salary or expenses of any grant*  
3 *or contract recipient, or agent acting for such recipient, re-*  
4 *lated to any activity designed to influence legislation or ap-*  
5 *propriations pending before the Congress or any State legis-*  
6 *lature.*

7       *SEC. 504. The Secretaries of Labor and Education are*  
8 *authorized to make available not to exceed \$28,000 and*  
9 *\$20,000, respectively, from funds available for salaries and*  
10 *expenses under titles I and III, respectively, for official re-*  
11 *ception and representation expenses; the Director of the*  
12 *Federal Mediation and Conciliation Service is authorized*  
13 *to make available for official reception and representation*  
14 *expenses not to exceed \$5,000 from the funds available for*  
15 *“Salaries and expenses, Federal Mediation and Concilia-*  
16 *tion Service”;* and the Chairman of the National Mediation  
17 Board is authorized to make available for official reception  
18 and representation expenses not to exceed \$5,000 from funds  
19 available for “Salaries and expenses, National Mediation  
20 Board”.

21       *SEC. 505. Notwithstanding any other provision of this*  
22 *Act, no funds appropriated under this Act shall be used to*  
23 *carry out any program of distributing sterile needles or sy-*  
24 *ringes for the hypodermic injection of any illegal drug.*

1        *SEC. 506. (a) It is the sense of the Congress that, to*  
2 *the greatest extent practicable, all equipment and products*  
3 *purchased with funds made available in this Act should be*  
4 *American-made.*

5        *(b) In providing financial assistance to, or entering*  
6 *into any contract with, any entity using funds made avail-*  
7 *able in this Act, the head of each Federal agency, to the*  
8 *greatest extent practicable, shall provide to such entity a*  
9 *notice describing the statement made in subsection (a) by*  
10 *the Congress.*

11        *(c) If it has been finally determined by a court or Fed-*  
12 *eral agency that any person intentionally affixed a label*  
13 *bearing a “Made in America” inscription, or any inscrip-*  
14 *tion with the same meaning, to any product sold in or*  
15 *shipped to the United States that is not made in the United*  
16 *States, the person shall be ineligible to receive any contract*  
17 *or subcontract made with funds made available in this Act,*  
18 *pursuant to the debarment, suspension, and ineligibility*  
19 *procedures described in sections 9.400 through 9.409 of title*  
20 *48, Code of Federal Regulations.*

21        *SEC. 507. When issuing statements, press releases, re-*  
22 *quests for proposals, bid solicitations and other documents*  
23 *describing projects or programs funded in whole or in part*  
24 *with Federal money, all grantees receiving Federal funds*  
25 *included in this Act, including but not limited to State and*

1 *local governments and recipients of Federal research grants,*  
2 *shall clearly state: (1) the percentage of the total costs of*  
3 *the program or project which will be financed with Federal*  
4 *money; (2) the dollar amount of Federal funds for the*  
5 *project or program; and (3) percentage and dollar amount*  
6 *of the total costs of the project or program that will be fi-*  
7 *nanced by non-governmental sources.*

8       *SEC. 508. (a) None of the funds appropriated under*  
9 *this Act, and none of the funds in any trust fund to which*  
10 *funds are appropriated under this Act, shall be expended*  
11 *for any abortion.*

12       *(b) None of the funds appropriated under this Act, and*  
13 *none of the funds in any trust fund to which funds are*  
14 *appropriated under this Act, shall be expended for health*  
15 *benefits coverage that includes coverage of abortion.*

16       *(c) The term “health benefits coverage” means the*  
17 *package of services covered by a managed care provider or*  
18 *organization pursuant to a contract or other arrangement.*

19       *SEC. 509. (a) The limitations established in the pre-*  
20 *ceding section shall not apply to an abortion—*

21           *(1) if the pregnancy is the result of an act of*  
22 *rape or incest; or*

23           *(2) in the case where a woman suffers from a*  
24 *physical disorder, physical injury, or physical illness,*  
25 *including a life-endangering physical condition*

1        *caused by or arising from the pregnancy itself, that*  
2        *would, as certified by a physician, place the woman*  
3        *in danger of death unless an abortion is performed.*

4        *(b) Nothing in the preceding section shall be construed*  
5        *as prohibiting the expenditure by a State, locality, entity,*  
6        *or private person of State, local, or private funds (other*  
7        *than a State's or locality's contribution of Medicaid match-*  
8        *ing funds).*

9        *(c) Nothing in the preceding section shall be construed*  
10       *as restricting the ability of any managed care provider*  
11       *from offering abortion coverage or the ability of a State or*  
12       *locality to contract separately with such a provider for such*  
13       *coverage with State funds (other than a State's or locality's*  
14       *contribution of Medicaid matching funds).*

15       *SEC. 510. (a) None of the funds made available in this*  
16       *Act may be used for—*

17                *(1) the creation of a human embryo or embryos*  
18        *for research purposes; or*

19                *(2) research in which a human embryo or em-*  
20        *bryos are destroyed, discarded, or knowingly subjected*  
21        *to risk of injury or death greater than that allowed*  
22        *for research on fetuses in utero under 45 CFR*  
23        *46.208(a)(2) and section 498(b) of the Public Health*  
24        *Service Act (42 U.S.C. 289g(b)).*



1           (b) *For purposes of this section, the term “human em-*  
2 *bryo or embryos” includes any organism, not protected as*  
3 *a human subject under 45 CFR 46 as of the date of the*  
4 *enactment of this Act, that is derived by fertilization, par-*  
5 *thenogenesis, cloning, or any other means from one or more*  
6 *human gametes or human diploid cells.*

7           *SEC. 511. (a) None of the funds made available in this*  
8 *Act may be used for any activity that promotes the legaliza-*  
9 *tion of any drug or other substance included in schedule*  
10 *I of the schedules of controlled substances established by sec-*  
11 *tion 202 of the Controlled Substances Act (21 U.S.C. 812).*

12           (b) *The limitation in subsection (a) shall not apply*  
13 *when there is significant medical evidence of a therapeutic*  
14 *advantage to the use of such drug or other substance or that*  
15 *federally sponsored clinical trials are being conducted to de-*  
16 *termine therapeutic advantage.*

17           *SEC. 512. None of the funds made available in this*  
18 *Act may be obligated or expended to enter into or renew*  
19 *a contract with an entity if—*

20                   (1) *such entity is otherwise a contractor with the*  
21 *United States and is subject to the requirement in*  
22 *section 4212(d) of title 38, United States Code, re-*  
23 *garding submission of an annual report to the Sec-*  
24 *retary of Labor concerning employment of certain vet-*  
25 *erans; and*

1           (2) *such entity has not submitted a report as re-*  
2           *quired by that section for the most recent year for*  
3           *which such requirement was applicable to such entity.*

4           *SEC. 513. None of the funds made available in this*  
5           *Act may be used to promulgate or adopt any final standard*  
6           *under section 1173(b) of the Social Security Act (42 U.S.C.*  
7           *1320d-2(b)) providing for, or providing for the assignment*  
8           *of, a unique health identifier for an individual (except in*  
9           *an individual's capacity as an employer or a health care*  
10           *provider), until legislation is enacted specifically approving*  
11           *the standard.*

12           *SEC. 514. (a) Section 1708 of the United States Insti-*  
13           *tute of Peace Act (22 U.S.C. 4607) is amended in subsection*  
14           *(g), by striking "on or before December 31, 1970".*

15           *(b) Section 1710 of the United States Institute of Peace*  
16           *Act (22 U.S.C. 4609) is amended in subsection (a)(1), by*  
17           *striking the numeral "4" preceding the phrase "succeeding*  
18           *fiscal years" and inserting the numeral "5".*

19           *SEC. 515. Of the budgetary resources available to the*  
20           *Departments of Labor, Health and Human Services, and*  
21           *Education in this Act for salaries and expenses during fis-*  
22           *cal year 2003, \$138,264,000, to be allocated by the Office*  
23           *of Management and Budget, are permanently canceled.*

1        *This division may be cited as the “Departments of*  
 2 *Labor, Health and Human Services, and Education, and*  
 3 *Related Agencies Appropriations Act, 2003”.*

4                    *DIVISION H—LEGISLATIVE BRANCH*  
 5                                *APPROPRIATIONS, 2003*

6 *Making appropriations for the Legislative Branch for the*  
 7 *fiscal year ending September 30, 2003, and for other*  
 8 *purposes.*

9 *That the following sums are appropriated, out of any*  
 10 *money in the Treasury not otherwise appropriated, for the*  
 11 *Legislative Branch for the fiscal year ending September 30,*  
 12 *2003, and for other purposes, namely:*

13                    *TITLE I—LEGISLATIVE BRANCH*  
 14                                *APPROPRIATIONS*  
 15                                        *SENATE*

16                    *PAYMENT TO WIDOWS AND HEIRS OF DECEASED*  
 17                                        *MEMBERS OF CONGRESS*

18        *For a payment to Paul David Wellstone, Jr., son of*  
 19 *Paul David Wellstone, late a Senator from Minnesota,*  
 20 *\$50,000; Mark D. Wellstone, son of Paul David Wellstone,*  
 21 *late a Senator from Minnesota, \$50,000; and Michael*  
 22 *Kerner, Guardian of the Estate of Joshua Kerner, for Josh-*  
 23 *ua Kerner, minor, son of Marcia Wellstone Markuson, de-*  
 24 *ceased, daughter of Paul David Wellstone, late a Senator*  
 25 *from Minnesota, \$50,000.*



1        *OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS*

2            *For the Office of the President Pro Tempore emeritus,*  
3        *\$150,000.*

4        *OFFICES OF THE MAJORITY AND MINORITY LEADERS*

5            *For Offices of the Majority and Minority Leaders,*  
6        *\$3,094,000.*

7        *OFFICES OF THE MAJORITY AND MINORITY WHIPS*

8            *For Offices of the Majority and Minority Whips,*  
9        *\$2,042,000.*

10                    *COMMITTEE ON APPROPRIATIONS*

11            *For salaries of the Committee on Appropriations,*  
12        *\$11,266,000.*

13                    *CONFERENCE COMMITTEES*

14            *For the Conference of the Majority and the Conference*  
15        *of the Minority, at rates of compensation to be fixed by the*  
16        *Chairman of each such committee, \$1,305,000 for each such*  
17        *committee; in all, \$2,610,000.*

18        *OFFICES OF THE SECRETARIES OF THE CONFERENCE OF*  
19        *THE MAJORITY AND THE CONFERENCE OF THE MINORITY*

20            *For Offices of the Secretaries of the Conference of the*  
21        *Majority and the Conference of the Minority, \$648,000.*

22                    *POLICY COMMITTEES*

23            *For salaries of the Majority Policy Committee and the*  
24        *Minority Policy Committee, \$1,362,000 for each such com-*  
25        *mittee; in all, \$2,724,000.*

1                                    *OFFICE OF THE CHAPLAIN*

2            *For Office of the Chaplain, \$315,000.*

3                                    *OFFICE OF THE SECRETARY*

4            *For Office of the Secretary, \$17,079,000.*

5            *OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER*

6            *For Office of the Sergeant at Arms and Doorkeeper,*

7            *\$43,161,000.*

8            *OFFICES OF THE SECRETARIES FOR THE MAJORITY AND*

9                                    *MINORITY*

10          *For Offices of the Secretary for the Majority and the*

11          *Secretary for the Minority, \$1,410,000.*

12          *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

13          *For agency contributions for employee benefits, as au-*

14          *thorized by law, and related expenses, \$30,075,000.*

15          *OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE*

16          *For salaries and expenses of the Office of the Legisla-*

17          *tive Counsel of the Senate, \$4,581,000.*

18                                  *OFFICE OF SENATE LEGAL COUNSEL*

19          *For salaries and expenses of the Office of Senate Legal*

20          *Counsel, \$1,176,000.*

21          *EXPENSE ALLOWANCES OF THE SECRETARY OF THE SEN-*

22          *ATE, SERGEANT AT ARMS AND DOORKEEPER OF THE*

23          *SENATE, AND SECRETARIES FOR THE MAJORITY AND*

24          *MINORITY OF THE SENATE*

25          *For expense allowances of the Secretary of the Senate,*

26          *\$3,000; Sergeant at Arms and Doorkeeper of the Senate,*

1 \$3,000; *Secretary for the Majority of the Senate*, \$3,000;  
2 *Secretary for the Minority of the Senate*, \$3,000; in all,  
3 \$12,000.

4 *CONTINGENT EXPENSES OF THE SENATE*

5 *INQUIRIES AND INVESTIGATIONS*

6 *For expenses of inquiries and investigations ordered*  
7 *by the Senate, or conducted under section 134(a) of Public*  
8 *Law 601, Seventy-ninth Congress section 112 of Public Law*  
9 *96-304 and Senate Resolution 281, agreed to March 11,*  
10 *1980, \$109,450,000.*

11 *EXPENSES OF THE UNITED STATES SENATE CAUCUS ON*

12 *INTERNATIONAL NARCOTICS CONTROL*

13 *For expenses of the United States Senate Caucus on*  
14 *International Narcotics Control, \$520,000.*

15 *SECRETARY OF THE SENATE*

16 *For expenses of the Office of the Secretary of the Sen-*  
17 *ate, \$7,077,000, of which \$5,000,000 shall remain available*  
18 *until September 30, 2007.*

19 *SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE*

20 *For expenses of the Office of the Sergeant at Arms and*  
21 *Doorkeeper of the Senate, \$114,423,000, of which*  
22 *\$9,570,000 shall remain available until September 30,*  
23 *2005, and of which \$13,574,000 shall remain available*  
24 *until September 30, 2007.*

## MISCELLANEOUS ITEMS

1  
2       *For miscellaneous items, \$18,355,500, of which up to*  
3 *\$500,000 shall be made available for a pilot program for*  
4 *mailings of postal patron postcards by Senators for the pur-*  
5 *pose of providing notice of a town meeting by a Senator*  
6 *in a county (or equivalent unit of local government) with*  
7 *a population of less than 250,000 and at which the Senator*  
8 *will personally attend: Provided, That any amount allo-*  
9 *cated to a Senator for such mailing shall not exceed 50 per-*  
10 *cent of the cost of the mailing and the remaining cost shall*  
11 *be paid by the Senator from other funds available to the*  
12 *Senator: Provided further, That not later than October 31,*  
13 *2003, the Sergeant at Arms and Doorkeeper of the Senate*  
14 *shall submit a report to the Committee on Rules and Ad-*  
15 *ministration and Committee on Appropriations of the Sen-*  
16 *ate on the results of the program.*

## SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE

## ACCOUNT

17  
18  
19       *For Senators' Official Personnel and Office Expense*  
20 *Account, \$294,545,000.*

## OFFICIAL MAIL COSTS

21  
22       *For expenses necessary for official mail costs of the*  
23 *Senate, \$300,000.*

## ADMINISTRATIVE PROVISIONS

24  
25       *SEC. 1. (a) Section 111 of title 3, United States Code,*  
26 *is amended by striking "\$10,000" and inserting "\$20,000".*



1           (b) *The matter under the subheading “EXPENSE AL-*  
2 *LOWANCES OF THE VICE PRESIDENT, PRESIDENT PRO TEM-*  
3 *PORE, MAJORITY AND MINORITY LEADERS AND MAJORITY*  
4 *AND MINORITY WHIPS” under the heading “LEGISLATIVE*  
5 *BRANCH” under chapter VI of title I of the Second Sup-*  
6 *plemental Appropriations Act, 1978 (Public Law 95–355;*  
7 *92 Stat. 532) is amended—*

8                   (1) *in the second sentence (2 U.S.C. 31a–1) (re-*  
9 *lating to the Majority and Minority Leaders of the*  
10 *Senate) by striking “\$10,000” and inserting*  
11 *“\$20,000”; and*

12                   (2) *in the third sentence (2 U.S.C. 32b) (relating*  
13 *to the President pro tempore) by striking “\$10,000”*  
14 *and inserting “\$20,000”.*

15           (c) *The matter under the subheading “EXPENSE AL-*  
16 *LOWANCES OF THE VICE PRESIDENT, THE PRESIDENT PRO*  
17 *TEMPORE, MAJORITY AND MINORITY LEADERS, AND MAJOR-*  
18 *ITY AND MINORITY WHIPS” under the heading “LEGISLA-*  
19 *TIVE BRANCH” under chapter IX of title I of the Supple-*  
20 *mental Appropriations Act, 1983 (2 U.S.C. 31a–1; Public*  
21 *Law 98–63; 97 Stat. 333) (relating to the Majority and*  
22 *Minority Whips) is amended by striking “not exceed*  
23 *\$5,000” and inserting “not exceed \$10,000”.*

24           (d) *The matter under the subheading “EXPENSE AL-*  
25 *LOWANCES OF THE VICE PRESIDENT, THE PRESIDENT PRO*

1 *TEMPORE, MAJORITY AND MINORITY LEADERS, THE MA-*  
2 *JORITY AND MINORITY WHIPS, AND THE CHAIRMEN OF THE*  
3 *MAJORITY AND MINORITY CONFERENCE COMMITTEES”*  
4 *under the heading “LEGISLATIVE BRANCH” under*  
5 *chapter IX of title I of the Supplemental Appropriations*  
6 *Act, 1985 (2 U.S.C. 31a-3; Public Law 99-88; 99 Stat.*  
7 *348) (relating to the Chairmen of the Majority and Minor-*  
8 *ity Conference Committees) is amended by striking “not ex-*  
9 *ceed \$3,000” and inserting “not exceed \$5,000”.*

10 *(e) Section 5 of title I of the Legislative Branch Appro-*  
11 *priations Act, 2001, as enacted into law by section 1(a)*  
12 *of Public Law 106-554 (2 U.S.C. 31a-4; 114 Stat. 2763A-*  
13 *97) (relating to the Chairmen of the Majority and Minority*  
14 *Policy Committees) is amended by striking “\$3,000” and*  
15 *inserting “\$5,000”.*

16 *(f) The amendments made by this section shall apply*  
17 *to fiscal year 2003 and each fiscal year thereafter.*

18 *SEC. 2. (a) The matter under the subheading “STA-*  
19 *TIONERY (REVOLVING FUND)” under the heading “CONTIN-*  
20 *ENT EXPENSES OF THE SENATE” under the heading*  
21 *“LEGISLATIVE BRANCH” under chapter VII of title I*  
22 *of the Second Supplemental Appropriations Act, 1975 (2*  
23 *U.S.C. 46a; Public Law 94-32; 89 Stat. 182) is amended*  
24 *by striking “\$4,500” and inserting “\$8,000”.*

1       (b) *The amendment made by this section shall apply*  
2 *to fiscal year 2003 and each fiscal year thereafter.*

3       *SEC. 3. Effective on and after October 1, 2002, each*  
4 *of the dollar amounts contained in the table under section*  
5 *105(d)(1)(A) of the Legislative Branch Appropriations Act,*  
6 *1968 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be the*  
7 *dollar amounts in that table, as adjusted by law and in*  
8 *effect on September 30, 2002, increased by an additional*  
9 *\$50,000 each.*

10       *SEC. 4. (a) The Majority Policy Committee, Minority*  
11 *Policy Committee, Conference of the Majority, and Con-*  
12 *ference of the Minority of the Senate are authorized, in the*  
13 *discretion of each committee or conference, with the prior*  
14 *consent of the Government department or agency concerned*  
15 *and the Committee on Rules and Administration of the*  
16 *Senate to use, on a reimbursable or nonreimbursable basis,*  
17 *the services of personnel of any such department or agency.*

18       (b) *This section shall apply to fiscal year 2003 and*  
19 *each fiscal year thereafter.*

20       *SEC. 5. PUBLIC SAFETY EXCEPTION TO INSCRIPTIONS*  
21 *REQUIREMENT ON MOBILE OFFICES. (a) IN GENERAL.—*  
22 *Section 3(f)(3) under the subheading “ADMINISTRATIVE*  
23 *PROVISIONS” under the heading “SENATE” in the Legisla-*  
24 *tive Branch Appropriation Act, 1975 (2 U.S.C. 59(f)(3))*

1 *is amended by adding at the end the following flush sen-*  
2 *tence:*

3 *“The Committee on Rules and Administration of the Senate*  
4 *may prescribe regulations to waive or modify the require-*  
5 *ment under subparagraph (B) if such waiver or modifica-*  
6 *tion is necessary to provide for the public safety of a Sen-*  
7 *ator and the Senator’s staff and constituents.”.*

8 (b) *EFFECTIVE DATE.*—*The amendment made by this*  
9 *section shall take effect on the date of enactment of this Act*  
10 *and apply to fiscal year 2003 and each fiscal year there-*  
11 *after.*

12 *SEC. 6. MULTI-YEAR CONTRACTING AUTHORITY. (a)*  
13 *Subject to regulations prescribed by the Committee on Rules*  
14 *and Administration of the Senate, the Secretary and the*  
15 *Sergeant at Arms and Doorkeeper of the Senate may—*

16 (1) *enter into contracts for the acquisition of sev-*  
17 *erable services for a period that begins in one fiscal*  
18 *year and ends in the next fiscal year to the same ex-*  
19 *tent and under the same conditions as the head of an*  
20 *executive agency under the authority of section 303L*  
21 *of the Federal Property and Administrative Services*  
22 *Act of 1949 (41 U.S.C. 253l); and*

23 (2) *enter into multiyear contracts for the acqui-*  
24 *sition of property and services to the same extent and*  
25 *under the same conditions as the head of an executive*

1        *agency under the authority of section 304B of the*  
2        *Federal Property and Administrative Services Act of*  
3        *1949 (41 U.S.C. 254c).*

4        *(b) This section shall take effect on October 1, 2002,*  
5        *and shall apply in fiscal year 2003 and successive fiscal*  
6        *years.*

7        *SEC. 7. CONSULTANTS. (a) IN GENERAL.—Section 101*  
8        *of the Supplemental Appropriations Act, 1977 (2 U.S.C.*  
9        *61h–6) is amended—*

10            *(1) in subsection (a), in the first sentence by*  
11            *striking “six individual consultants” and inserting*  
12            *“eight individual consultants”; and*

13            *(2) by adding at the end the following:*

14            *“(C) Each appointing authority under subsection (a)*  
15            *may designate the title of the position of any individual*  
16            *appointed under that subsection.”.*

17        *(b) EFFECTIVE DATE.—This section shall apply to fis-*  
18        *cal year 2003 and each fiscal year thereafter.*

19        *SEC. 8. OFFICE OF THE PRESIDENT PRO TEMPORE*  
20        *EMERITUS OF THE SENATE. (a) ESTABLISHMENT.—There*  
21        *is established the Office of the President pro tempore emer-*  
22        *itus of the Senate.*

23        *(b) DESIGNATION.—Any Member of the Senate who—*

1           (1) is designated by the Senate as the President  
2           *pro tempore emeritus* of the United States Senate;  
3           and

4           (2) is serving as a Member of the Senate,  
5 shall be the President *pro tempore emeritus* of the United  
6 States Senate.

7           (c) *APPOINTMENT AND COMPENSATION OF EMPLOY-*  
8 *EES.*—The President *pro tempore emeritus* is authorized to  
9 appoint and fix the compensation of such employees as the  
10 President *pro tempore emeritus* determines appropriate.

11          (d) *EXPENSE ALLOWANCE.*—There is authorized an  
12 expense allowance for the President *pro tempore emeritus*  
13 which shall not exceed \$7,500 each fiscal year. The Presi-  
14 dent *pro tempore emeritus* may receive the expense allow-  
15 ance (1) as reimbursement for actual expenses incurred  
16 upon certification and documentation of such expenses by  
17 the President *pro tempore emeritus*, or (2) in equal monthly  
18 payments. Such amounts paid to the President *pro tempore*  
19 *emeritus* as reimbursement of actual expenses incurred  
20 upon certification and documentation under this sub-  
21 section, shall not be reported as income, and the expenses  
22 so reimbursed shall not be allowed as a deduction under  
23 the Internal Revenue Code of 1986.



1 *incurred for staff and equipment assigned to the Office of*  
2 *the Attending Physician, which shall be advanced and cred-*  
3 *ited to the applicable appropriation or appropriations from*  
4 *which such salaries, allowances, and other expenses are pay-*  
5 *able and shall be available for all the purposes thereof,*  
6 *\$3,000,000, of which \$300,000 shall remain available until*  
7 *expended, to be disbursed by the Chief Administrative Offi-*  
8 *cer of the House of Representatives.*

9 *CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE*

10 *For salaries and expenses of the Capitol Guide Service*  
11 *and Special Services Office, \$3,035,000, to be disbursed by*  
12 *the Secretary of the Senate: Provided, That no part of such*  
13 *amount may be used to employ more than 58 individuals:*  
14 *Provided further, That the Capitol Guide Board is author-*  
15 *ized, during emergencies, to employ not more than two ad-*  
16 *ditional individuals for not more than 120 days each, and*  
17 *not more than 10 additional individuals for not more than*  
18 *6 months each, for the Capitol Guide Service.*

19 *STATEMENTS OF APPROPRIATIONS*

20 *For the preparation, under the direction of the Com-*  
21 *mittees on Appropriations of the Senate and the House of*  
22 *Representatives, of the statements for the second session of*  
23 *the One Hundred Seventh Congress, showing appropria-*  
24 *tions made, indefinite appropriations, and contracts au-*  
25 *thorized, together with a chronological history of the regular*



1 *appropriations bills as required by law, \$30,000, to be paid*  
2 *to the persons designated by the chairmen of such commit-*  
3 *tees to supervise the work.*

#### 4 *CAPITOL POLICE*

##### 5 *SALARIES*

6 *For salaries of employees of the Capitol Police, includ-*  
7 *ing overtime, hazardous duty pay differential, and Govern-*  
8 *ment contributions for health, retirement, Social Security,*  
9 *and other applicable employee benefits, \$175,675,000, to be*  
10 *disbursed by the Chief of the Capitol Police or his designee.*

##### 11 *GENERAL EXPENSES*

12 *For necessary expenses of the Capitol Police, including*  
13 *motor vehicles, communications and other equipment, secu-*  
14 *rity equipment and installation, uniforms, weapons, sup-*  
15 *plies, materials, training, medical services, forensic services,*  
16 *stenographic services, personal and professional services, the*  
17 *employee assistance program, the awards program, postage,*  
18 *communication services, travel advances, relocation of in-*  
19 *structor and liaison personnel for the Federal Law Enforce-*  
20 *ment Training Center, and not more than \$5,000 to be ex-*  
21 *pende*  
22 *d on the certification of the Chief of the Capitol Police*  
23 *in connection with official representation and reception ex-*  
24 *penses, \$28,100,000, to be disbursed by the Chief of the Cap-*  
25 *itol Police or his designee: Provided, That, notwithstanding*  
*any other provision of law, the cost of basic training for*

1 *the Capitol Police at the Federal Law Enforcement Train-*  
 2 *ing Center for fiscal year 2003 shall be paid by the Sec-*  
 3 *retary of Homeland Security from funds available to the*  
 4 *Department of Homeland Security.*

5 *ADMINISTRATIVE PROVISIONS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *SEC. 1001. TRANSFER AUTHORITY.—Amounts appro-*  
 8 *priated for fiscal year 2003 for the Capitol Police may be*  
 9 *transferred between the headings “SALARIES” and “GEN-*  
 10 *ERAL EXPENSES” upon the approval of the Committees on*  
 11 *Appropriations of the Senate and the House of Representa-*  
 12 *tives.*

13 *SEC. 1002. CAPITOL POLICE CONTRACT AUTHORITY.*

14 *(a) IN GENERAL.—The United States Capitol Police may—*

15 *(1) enter into contracts for the acquisition of sev-*  
 16 *erable services for a period that begins in 1 fiscal*  
 17 *year and ends in the next fiscal year to the same ex-*  
 18 *tent as the head of an executive agency under the au-*  
 19 *thority of section 303L of the Federal Property and*  
 20 *Administrative Services Act of 1949 (41 U.S.C. 253l);*  
 21 *and*

22 *(2) enter into multiyear contracts for the acqui-*  
 23 *sitions of property and nonaudit-related services to*  
 24 *the same extent as executive agencies under the au-*

1        *thority of section 304B of the Federal Property and*  
 2        *Administrative Services Act of 1949 (41 U.S.C. 254c).*

3        *(b) EFFECTIVE DATE.—This section shall apply to fis-*  
 4        *cal year 2003 and each fiscal year thereafter.*

5        *SEC. 1003. DISPOSAL OF SURPLUS PROPERTY. (a) IN*  
 6        *GENERAL.—Within the limits of available appropriations,*  
 7        *the Capitol Police may dispose of surplus or obsolete prop-*  
 8        *erty of the Capitol Police by interagency transfer, donation,*  
 9        *sale, trade-in, or other appropriate method.*

10       *(b) AMOUNTS RECEIVED.—Any amounts received by*  
 11       *the Capitol Police from the disposition of property under*  
 12       *subsection (a) shall be credited to the account established*  
 13       *for the general expenses of the Capitol Police, and shall be*  
 14       *available to carry out the purposes of such account during*  
 15       *the fiscal year in which the amounts are received and the*  
 16       *following fiscal year.*

17       *(c) EFFECTIVE DATE.—This section shall apply to fiscal year*  
 18       *2003 and each fiscal year thereafter.*

19       *SEC. 1004. RECRUITMENT AND RELOCATION BO-*  
 20       *NUSES. Section 909 of the Emergency Supplemental Act,*  
 21       *2002 (Public Law 107–117; 115 Stat. 2320) is amended—*

22                *(1) in subsection (a)—*

23                        *(A) in paragraph (1), by striking “the*  
 24                        *Board determines that the Capitol Police would*  
 25                        *be likely, in the absence of such a bonus, to en-*

1           *counter difficulty in filling the position” and in-*  
2           *serting “the Chief, in the Chief’s sole discretion,*  
3           *determines that such a bonus will assist the Cap-*  
4           *itol Police in recruitment efforts”;* and

5                     *(B) by adding at the end the following:*

6                     *“(6) DETERMINATION NOT APPEALABLE OR RE-*  
7           *VIEWABLE.—Any determination of the Chief under*  
8           *this subsection shall not be appealable or reviewable*  
9           *in any manner.”;*

10                    *(2) by striking subsections (e) and (f)(2); and*

11                    *(3) by redesignating subsections (f) and (g) as*  
12           *subsections (e) and (f), respectively.*

13            *SEC. 1005. RECRUITMENT OF INDIVIDUALS WITHOUT*  
14    *REGARD TO AGE. (a) IN GENERAL.—The Chief of the Cap-*  
15    *itol Police shall carry out any activities and programs to*  
16    *recruit individuals to serve as members of the Capitol Police*  
17    *without regard to the age of the individuals.*

18            *(b) RULE OF CONSTRUCTION.—Nothing in this sub-*  
19    *section may be construed to affect any provision of law of*  
20    *any rule or regulation providing for the mandatory separa-*  
21    *tion of members of the Capitol Police on the basis of age,*  
22    *or any provision of law or any rule or regulation regarding*  
23    *the calculation of retirement or other benefits for members*  
24    *of the Capitol Police.*

1       *SEC. 1006. RETENTION ALLOWANCES. Section 909(b)*  
2 *of the Emergency Supplemental Act, 2002 (Public Law*  
3 *107–117; 115 Stat. 2320) is amended—*

4           *(1) in paragraph (1)—*

5               *(A) by striking subparagraphs (A) and (B);*

6           *and*

7               *(B) by striking “if—” and inserting “if the*  
8 *Chief, in the Chief’s sole discretion, determines*  
9 *that such a bonus will assist the Capitol Police*  
10 *in retention efforts.”; and*

11           *(2) in paragraph (3), by striking “the reduction*  
12 *or the elimination of a retention allowance may not*  
13 *be appealed” and inserting “any determination of the*  
14 *Chief under this subsection, or the reduction or elimi-*  
15 *nation of a retention allowance, shall not be appeal-*  
16 *able or reviewable in any manner”.*

17       *SEC. 1007. EDUCATIONAL ASSISTANCE PROGRAM. Sec-*  
18 *tion 908 of the Emergency Supplemental Act, 2002 (2*  
19 *U.S.C. 1924; Public Law 107–117; 115 Stat. 2319) is*  
20 *amended to read as follows:*

21       “*EDUCATIONAL ASSISTANCE PROGRAM FOR EMPLOYEES*

22           “*SEC. 908. (a) ESTABLISHMENT.—In order to recruit*  
23 *or retain qualified personnel, the Chief of the Capitol Police*  
24 *may establish an educational assistance program for em-*  
25 *ployees of the Capitol Police under which the Capitol Police*  
26 *may agree—*

1           “(1) to repay (by direct payments on behalf of  
2           the participating employee) all or any portion of a  
3           student loan previously taken out by the employee;

4           “(2) to make direct payments to an educational  
5           institution on behalf of a participating employee or  
6           to reimburse a participating employee for all or any  
7           portion of any tuition or related educational expenses  
8           paid by the employee.

9           “(b) *SPECIAL RULES FOR STUDENT LOAN REPAY-*  
10 *MENTS.—*

11           “(1) *APPLICATION OF REGULATIONS UNDER EX-*  
12 *ECUTIVE BRANCH PROGRAM.—In carrying out sub-*  
13 *section (a)(1), the Capitol Police Board may, by regu-*  
14 *lation, make applicable such provisions of section*  
15 *5379 of title 5, United States Code, as the Board de-*  
16 *termines necessary to provide for such program.*

17           “(2) *RESTRICTIONS ON PRIOR REIMBURSE-*  
18 *MENTS.—The Capitol Police may not reimburse any*  
19 *individual under subsection (a)(1) for any repay-*  
20 *ments made by the individual prior to entering into*  
21 *an agreement with the Capitol Police to participate*  
22 *in the program under this section.*

23           “(3) *USE OF RECOVERED AMOUNTS.—Any*  
24 *amount repaid by, or recovered from, an individual*  
25 *under subsection (a)(1) and its implementing regula-*

1        *tions shall be credited to the appropriation account*  
2        *available for salaries and expenses of the Capitol Po-*  
3        *lice at the time of repayment or recovery. Such cred-*  
4        *ited amount may be used for any authorized purpose*  
5        *of the account and shall remain available until ex-*  
6        *pended.*

7        *“(c) LIMIT ON AMOUNT OF PAYMENTS.—The total*  
8        *amount paid by the Capitol Police with respect to any indi-*  
9        *vidual under the program under this section may not exceed*  
10       *\$40,000.*

11       *“(d) NO REVIEW OF DETERMINATIONS.—Any deter-*  
12       *mination made under the program under this section shall*  
13       *not be reviewable or appealable in any manner.*

14       *“(e) EFFECTIVE DATE.—This section shall apply with*  
15       *respect to fiscal year 2003 and each succeeding fiscal year.”.*

16       *SEC. 1008. APPLICABLE PAY RATE UPON APPOINT-*  
17       *MENT. (a) IN GENERAL.—Notwithstanding any other provi-*  
18       *sion of law, the rate of basic pay payable to an individual*  
19       *upon appointment to a position with the Capitol Police*  
20       *shall be at a rate within the minimum and maximum pay*  
21       *rates applicable to the position.*

22       *(b) EFFECTIVE DATE.—This section shall apply to fis-*  
23       *cal year 2003 and each fiscal year thereafter.*

24       *SEC. 1009. OVERTIME COMPENSATION FOR OFFICERS*  
25       *AT RANK OF LIEUTENANT OR HIGHER. (a) IN GENERAL.—*

1 *The Chief of the Capitol Police may provide for the com-*  
 2 *penetration of overtime work of officers of the Capitol Police*  
 3 *at the rank of lieutenant and higher. Nothing in this sub-*  
 4 *section may be construed to affect the compensation of over-*  
 5 *time work of officers of the Capitol Police at any rank not*  
 6 *described in the previous sentence.*

7       (b) *TERMS AND CONDITIONS.—In providing for the*  
 8 *compensation of overtime work under this section, the Chief*  
 9 *shall provide the compensation in the same manner and*  
 10 *subject to the same terms and conditions which are applica-*  
 11 *ble to the compensation of overtime work of officers and*  
 12 *members of the United States Secret Service Uniformed Di-*  
 13 *vision and the United States Park Police who serve at the*  
 14 *rank of lieutenant and higher, in accordance with section*  
 15 *1 of the Act entitled “An Act to provide a 5-day week for*  
 16 *officers and members of the Metropolitan Police force, the*  
 17 *United States Park Police force, and the White House Police*  
 18 *force, and for other purposes”, approved August 15, 1950*  
 19 *(sec. 5–1304, D.C. Official Code).*

20       *SEC. 1010. TRAINING PROGRAMS FOR PERSONNEL. (a)*  
 21 *IN GENERAL.—Chapter 41 of title 5, United States Code,*  
 22 *is amended by adding at the end the following new section:*

23 **“§4120. Training for employees of the Capitol Police**

24       “(a) *The Chief of the Capitol Police may, by regula-*  
 25 *tion, make applicable such provisions of this chapter as the*



1 Chief determines necessary to provide for training of em-  
 2 ployees of the Capitol Police. The regulations shall provide  
 3 for training which, in the determination of the Chief, is  
 4 consistent with the training provided by agencies under the  
 5 preceding sections of this chapter.

6 “(b) The Office of Personnel Management shall provide  
 7 the Chief of the Capitol Police with such advice and assist-  
 8 ance as the Chief may request in order to enable the Chief  
 9 to carry out the purposes of this section.”.

10 (b) CLERICAL AMENDMENT.—The table of sections for  
 11 chapter 41 of such title is amended by adding at the end  
 12 the following:

“4120. Training for employees of the Capitol Police.”.

13 SEC. 1011. ADDITIONAL COMPENSATION FOR EMPLOY-  
 14 EES WITH SPECIALTY ASSIGNMENTS AND PROFICIENCIES.

15 (a) ESTABLISHMENT OF POSITIONS.—The Chief of the Cap-  
 16 itol Police may establish and determine, from time to time,  
 17 positions in salary classes of employees of the Capitol Police  
 18 to be designated as employees with specialty assignments  
 19 or proficiencies, based on the experience, education, train-  
 20 ing, or other appropriate factors required to carry out the  
 21 duties of such employees.

22 (b) ADDITIONAL COMPENSATION.—In addition to the  
 23 regularly scheduled rate of basic pay, each employee holding  
 24 a position designated under this section shall receive a per  
 25 annum amount determined by the Chief, except that—

1           (1) *such amount may not exceed 25 percent of*  
2           *the employee's annual rate of basic pay; and*

3           (2) *such amount may not be paid in a calendar*  
4           *year to the extent that, when added to the total basic*  
5           *pay paid or payable to such employee for service per-*  
6           *formed in the year, such amount would cause the*  
7           *total to exceed the annual rate of basic pay payable*  
8           *for level II of the Executive Schedule, as of the end*  
9           *of such year.*

10          (c) *MANNER OF PAYMENT.*—*The additional compensa-*  
11          *tion authorized by this subsection shall be paid to an em-*  
12          *ployee in a manner determined by the Chief or his designee*  
13          *except when the employee ceases to be assigned to the spe-*  
14          *cialty assignment or ceases to maintain the required pro-*  
15          *iciency. The loss of such additional compensation shall not*  
16          *constitute an adverse action for any purpose.*

17          (d) *DETERMINATION NOT APPEALABLE OR REVIEW-*  
18          *ABLE.*—*Any determination under section (a) shall not be*  
19          *appealable or reviewable in any manner.*

20          *SEC. 1012. APPLICATION OF PREMIUM PAY LIMITS ON*  
21          *ANNUALIZED BASIS. (a) IN GENERAL.*—*Any limits on the*  
22          *amount of premium pay which may be earned by officers*  
23          *and members of the Capitol Police during emergencies (as*  
24          *determined by the Capitol Police Board) shall be applied*  
25          *by the Chief of the Capitol Police on an annual basis and*

1 *not on a pay period basis. Any determination under this*  
 2 *subsection shall not be reviewable or appealable in any*  
 3 *manner.*

4 (b) *EFFECTIVE DATE.*—*Subsection (a) shall apply*  
 5 *with respect to hours of duty occurring on or after Sep-*  
 6 *tember 11, 2001.*

7 *SEC. 1013. TRANSFER OF LIBRARY OF CONGRESS PO-*  
 8 *LICE TO THE UNITED STATES CAPITOL POLICE. (a) TRANS-*  
 9 *FER OF LIBRARY OF CONGRESS POLICE TO THE UNITED*  
 10 *STATES CAPITOL POLICE.—*

11 (1) *TRANSFER OF PERSONNEL AND FUNC-*  
 12 *TIONS.*—*There are transferred to the United States*  
 13 *Capitol Police—*

14 (A) *each Library of Congress Police em-*  
 15 *ployee; and*

16 (B) *any functions performed under the first*  
 17 *section of the Act of August 4, 1950 (2 U.S.C.*  
 18 *167) and section 9 of that Act (2 U.S.C. 167h)*  
 19 *(as in effect immediately before the effective date*  
 20 *of this section).*

21 (2) *EFFECT ON PERSONNEL.—*

22 (A) *ANNUAL AND SICK LEAVE.*—*Any an-*  
 23 *nuual or sick leave to the credit of an individual*  
 24 *transferred under paragraph (1) shall be trans-*

1           *ferred to the credit of that individual as an em-*  
2           *ployee of the United States Capitol Police.*

3           *(B) SERVICE PERFORMED FOR RETIREMENT*  
4           *PURPOSES.—For those Library of Congress Po-*  
5           *lice employees transferred under paragraph*  
6           *(1)(A), any period of service performed by a Li-*  
7           *brary of Congress Police employee shall be*  
8           *deemed to be service performed as a member of*  
9           *the United States Capitol Police for purposes of*  
10          *chapters 83 and 84 of title 5, United States*  
11          *Code.*

12          *(C) VACANCIES.—Notwithstanding any*  
13          *other provision of law, upon the date of enact-*  
14          *ment of this section and until completion of the*  
15          *transfer under paragraph (1), vacancies in Li-*  
16          *brary of Congress police employee positions, if*  
17          *filled, shall be filled in accordance with the em-*  
18          *ployment standards of the United States Capitol*  
19          *Police, to the extent practicable.*

20          *(3) EFFECTIVE DATE OF TRANSFER OF PER-*  
21          *SONNEL AND FUNCTIONS.—Library of Congress em-*  
22          *ployees transferred to the United States Capitol Police*  
23          *under paragraph (1)(A), and Library of Congress*  
24          *functions transferred under paragraph (1)(B) shall be*  
25          *transferred to the United States Capitol Police as*

1 *specified in the implementation plan under subsection*  
2 *(b)(1), but no later than 3 years after the date of en-*  
3 *actment of this section.*

4 *(b) TRANSITION.—*

5 *(1) IMPLEMENTATION PLAN.—*

6 *(A) PLAN.—Not later than 180 days after*  
7 *the date of enactment of this section, the Chief of*  
8 *the Capitol Police shall prepare and submit to*  
9 *the appropriate committees of Congress, the Cap-*  
10 *itol Police Board, and the Librarian of Congress,*  
11 *a plan—*

12 *(i) describing the policies and proce-*  
13 *dures, and actions the Chief of the Capitol*  
14 *Police will take in implementing the trans-*  
15 *fer provisions under this section;*

16 *(ii) establishing dates by which Li-*  
17 *brary of Congress personnel and functions*  
18 *authorized to be transferred under sub-*  
19 *section (a)(1) shall be transferred to the*  
20 *United States Capitol Police, with all such*  
21 *transfers completed not later than 3 years*  
22 *after the date of enactment of this section;*

23 *(iii) in consultation with the Librar-*  
24 *ian of Congress, providing for the perform-*  
25 *ance of law enforcement and protection*

1 *functions relating to the buildings and*  
2 *grounds of the Library of Congress, includ-*  
3 *ing collections security, within the overall*  
4 *security responsibilities of the United States*  
5 *Capitol Police;*

6 *(iv) recommending legislative changes*  
7 *needed to implement the transfers under*  
8 *subsection (a)(1), including—*

9 *(I) identifying options for ad-*  
10 *dressing how to apply United States*  
11 *Capitol Police retirement provisions to*  
12 *such transferred personnel;*

13 *(II) identifying options related to*  
14 *providing voluntary separation incen-*  
15 *tives to transferred personnel; and*

16 *(III) identifying options to ensure*  
17 *the Librarian of Congress maintains*  
18 *appropriate authority to execute his se-*  
19 *curity responsibilities;*

20 *(v) detailing the mechanisms to be used*  
21 *by the Chief of the Capitol Police for ensur-*  
22 *ing that Library of Congress employees*  
23 *transferred to the United States Capitol Po-*  
24 *lice under subsection (a)(1) are not ad-*

1                   *versely affected by the transfer with respect*  
2                   *to pay;*

3                   *(vi) addressing—*

4                   *(I) how United States Capitol Po-*  
5                   *lice training and qualification require-*  
6                   *ments will be applied to Library of*  
7                   *Congress employees transferred under*  
8                   *subsection (a)(1); and*

9                   *(II) the overall training needs of*  
10                  *the merged police force; and*

11                  *(vii) providing an analysis of the cost*  
12                  *implications of implementing the plan.*

13                  (2) *IMPLEMENTATION REPORT.—Not later than 1*  
14                  *year after the date of enactment of this section, and*  
15                  *annually thereafter until the transfer is fully imple-*  
16                  *mented, the Chief of the Capitol Police shall prepare*  
17                  *and submit a report to the appropriate committees of*  
18                  *Congress, the Capitol Police Board, and the Librarian*  
19                  *of Congress, on the Chief of the Capitol Police's*  
20                  *progress in implementing the plan required in para-*  
21                  *graph (1)(A) of this subsection, including any adjust-*  
22                  *ments to cost estimates or legislative changes needed*  
23                  *to implement the provisions of this section.*

24                  (c) *DEFINITIONS.—In this section—*

1           (1) the term “Act of August 4, 1950” means the  
2           Act entitled “An Act relating to the policing of the  
3           buildings and grounds of the Library of Congress”,  
4           approved August 4, 1950 (2 U.S.C. 167 et seq.); and

5           (2) the term “Library of Congress Police  
6           employee”—

7           (A) means an employee of the Library of  
8           Congress designated as police under the first sec-  
9           tion of the Act of August 4, 1950 (2 U.S.C. 167)  
10          (as in effect immediately before the effective date  
11          of this section); and

12          (B) does not include any civilian employee  
13          performing police support functions.

14          (d) *EFFECTIVE DATE.*—Except as otherwise provided  
15          in this section, this section shall take effect on the date of  
16          enactment of this section.

17          *SEC. 1014. CLARIFICATION OF AUTHORITY OF CAP-*  
18          *ITOL POLICE TO POLICE BOTANIC GARDEN. (a) BUILD-*  
19          *INGS.*—Section 5101 of title 40, United States Code, is  
20          amended by inserting “all buildings on the real property  
21          described under section 5102(c) (including the Administra-  
22          tive Building of the United States Botanic Garden),” after  
23          “Capitol Power Plant,”.

24          (b) *GROUNDS.*—Section 5102 of title 40, United States  
25          Code, is amended by adding at the end the following:



1       “(c) *NATIONAL GARDEN OF THE UNITED STATES BO-*  
2 *TANIC GARDEN.*—

3               “(1) *IN GENERAL.*—*Except as provided under*  
4 *paragraph (2), the United States Capitol Grounds*  
5 *shall include—*

6                       “(A) *the National Garden of the United*  
7 *States Botanic Garden;*

8                       “(B) *all grounds contiguous to the Adminis-*  
9 *trative Building of the United States Botanic*  
10 *Garden, including Bartholdi Park; and*

11                      “(C) *all grounds bounded by the curblines of*  
12 *First Street, Southwest on the east; Washington*  
13 *Avenue, Southwest to its intersection with Inde-*  
14 *pendence Avenue, and Independence Avenue from*  
15 *such intersection to its intersection with Third*  
16 *Street, Southwest on the south; Third Street,*  
17 *Southwest on the west; and Maryland Avenue,*  
18 *Southwest on the north.*

19               “(2) *MAINTENANCE AND IMPROVEMENTS.*—*Not-*  
20 *withstanding subsections (a) and (b), jurisdiction and*  
21 *control over the buildings on the grounds described in*  
22 *paragraph (1) shall be retained by the Joint Com-*  
23 *mittee on the Library, and the Joint Committee on*  
24 *the Library shall continue to be solely responsible for*

1        *the maintenance and improvement of the grounds de-*  
 2        *scribed in such paragraph.*

3            “(3) *AUTHORITY NOT LIMITED.*—*Nothing in this*  
 4        *subsection shall limit the authority of the Architect of*  
 5        *the Capitol under section 307E of the Legislative*  
 6        *Branch Appropriations Act, 1989 (40 U.S.C. 216c).”.*

7        (c) *TECHNICAL AND CONFORMING AMENDMENT.*—*Sec-*  
 8        *tion 9(a) of the Act of July 31, 1946 (2 U.S.C. 1961(a))*  
 9        *is amended by striking “sections 193a to 193m, 212a,*  
 10        *212a–2, and 212b of this title and regulations promulgated*  
 11        *under section 212b of this title,” and inserting “this Act*  
 12        *(and regulations promulgated under section 14 of this Act*  
 13        *(2 U.S.C. 1969)), and chapter 51 of title 40, United States*  
 14        *Code.”.*

15        (d) *EFFECTIVE DATE.*—*The amendments made by this*  
 16        *subsection shall apply to fiscal year 2003 and each fiscal*  
 17        *year thereafter.*

18        *SEC. 1015. CAPITOL POLICE SPECIAL OFFICERS. (a)*  
 19        *IN GENERAL.*—*In the event of an emergency, as determined*  
 20        *by the Capitol Police Board or in a concurrent resolution*  
 21        *of Congress, the Chief of the Capitol Police may appoint—*

22            (1) *any law enforcement officer from any Fed-*  
 23        *eral agency or State or local government agency made*  
 24        *available by that agency to serve as a special officer*  
 25        *of the Capitol Police; and*

1           (2) *any member of the uniformed services, in-*  
2 *cluding members of the National Guard, made avail-*  
3 *able by the appropriate authority to serve as a special*  
4 *officer of the Capitol Police.*

5           (b) *CONDITIONS OF APPOINTMENT.—An individual*  
6 *appointed as a special officer under this section shall—*

7           (1) *serve without pay for service performed as a*  
8 *special officer (other than pay received from the ap-*  
9 *plicable employing agency or service);*

10          (2) *serve as a special officer no longer than a pe-*  
11 *riod specified at the time of appointment;*

12          (3) *not be a Federal employee by reason of serv-*  
13 *ice as a special officer, except as provided under*  
14 *paragraph (4); and*

15          (4) *shall be an employee of the Government for*  
16 *purposes of chapter 171 of title 28, United States*  
17 *Code, if that individual is acting within the scope of*  
18 *his office or employment in service as a special offi-*  
19 *cer.*

20          (c) *QUALIFICATIONS.—Any individual appointed*  
21 *under subsection (a) shall be subject to—*

22          (1) *qualification requirements as the Chief of the*  
23 *Capitol Police determines necessary; and*

24          (2) *approval by the Capitol Police Board.*

1       (d) *AUTHORITIES AND DUTIES.*—During any period  
2 of service as a special officer under this section, a special  
3 officer—

4           (1) may exercise all authorities and perform all  
5 duties of members of the Capitol Police in any appro-  
6 priate capacity, in the policing, protection, and phys-  
7 ical security responsibilities of the Capitol Police  
8 Board and Capitol Police; and

9           (2) shall wear an emblem provided by the Chief  
10 of the Capitol Police that designates the wearer as a  
11 special officer.

12       (e) *REIMBURSEMENT AGREEMENTS.*—Nothing in this  
13 section shall prohibit the Capitol Police from entering into  
14 an agreement for the reimbursement of services provided  
15 under this section with any Federal, State, or local agency.

16       (f) *REGULATIONS.*—The Capitol Police Board may  
17 prescribe regulations to carry out this section.

18       (g) *EFFECTIVE DATE.*—This section shall take effect  
19 on the date of enactment of this Act and shall apply to fiscal  
20 year 2003 and each fiscal year thereafter.

21       *SEC. 1016. TRANSFER OF DISBURSING FUNCTION. (a)*  
22 *IN GENERAL.*—

23           (1) *DISBURSING OFFICER.*—The Chief of the  
24 Capitol Police shall be the disbursing officer for the  
25 Capitol Police. Any reference in any law or resolution

1       *before the date of enactment of this section to funds*  
2       *paid or disbursed by the Chief Administrative Officer*  
3       *of the House of Representatives and the Secretary of*  
4       *the Senate relating to the pay and allowances of Cap-*  
5       *itol Police employees shall be deemed to refer to the*  
6       *Chief of the Capitol Police.*

7               (2) *TRANSFER.—Any statutory function, duty,*  
8       *or authority of the Chief Administrative Officer of the*  
9       *House of Representatives or the Secretary of the Sen-*  
10       *ate as disbursing officers for the Capitol Police shall*  
11       *transfer to the Chief of the Capitol Police as the single*  
12       *disbursing officer for the Capitol Police.*

13               (3) *CONTINUITY OF FUNCTION DURING TRANSI-*  
14       *TION.—Until such time as the Chief notifies the Chief*  
15       *Administrative Officer of the House of Representa-*  
16       *tives and the Secretary of the Senate that systems are*  
17       *in place for discharging the disbursing functions*  
18       *under this subsection, the House of Representatives*  
19       *and the Senate shall continue to serve as the dis-*  
20       *bursing authority on behalf of the Capitol Police.*

21       (b) *TREASURY ACCOUNTS.—*

22               (1) *SALARIES.—*

23                       (A) *IN GENERAL.—There is established in*  
24       *the Treasury of the United States a separate ac-*  
25       *count for the Capitol Police, into which shall be*

1           *deposited appropriations received by the Chief of*  
2           *the Capitol Police and available for the salaries*  
3           *of the Capitol Police.*

4           *(B) TRANSFER AUTHORITY DURING TRANSI-*  
5           *TION.—Until such time as the Chief notifies the*  
6           *Chief Administrative Officer of the House of*  
7           *Representatives and the Secretary of the Senate*  
8           *that systems are in place for discharging the dis-*  
9           *burseing functions under subsection (a), the Chief*  
10           *shall have the authority to transfer amounts in*  
11           *the account to the House of Representatives and*  
12           *the Senate to the extent necessary to enable the*  
13           *Chief Administrative Officer of the House of*  
14           *Representatives and the Secretary of the Senate*  
15           *to continue to serve as the disbursing authority*  
16           *on behalf of the Capitol Police pursuant to sub-*  
17           *section (a)(3).*

18           *(2) GENERAL EXPENSES.—There is established*  
19           *in the Treasury of the United States a separate ac-*  
20           *count for the Capitol Police, into which shall be de-*  
21           *posited appropriations received by the Chief of the*  
22           *Capitol Police and available for the general expenses*  
23           *of the Capitol Police.*

24           *(c) TRANSFER OF FUNDS, ASSETS, ACCOUNTS,*  
25           *RECORDS, AND AUTHORITY.—*

1           (1) *IN GENERAL.*—*The Chief Administrative Of-*  
2           *ficer of the House of Representatives and the Sec-*  
3           *retary of the Senate are authorized and directed to*  
4           *transfer to the Chief of the Capitol Police all funds,*  
5           *assets, accounts, and copies of original records of the*  
6           *Capitol Police that are in the possession or under the*  
7           *control of the Chief Administrative Officer of the*  
8           *House of Representatives or the Secretary of the Sen-*  
9           *ate in order that all such items may be available for*  
10          *the unified operation of the Capitol Police. Any funds*  
11          *so transferred shall be deposited in the Treasury ac-*  
12          *counts established under subsection (b) and be avail-*  
13          *able to the Chief of the Capitol Police for the same*  
14          *purposes as, and in like manner and subject to the*  
15          *same conditions as, the funds prior to the transfer.*

16          (2) *EXISTING TRANSFER AUTHORITY.*—*Any*  
17          *transfer authority existing before the date of enact-*  
18          *ment of this Act granted to the Chief Administrative*  
19          *Officer of the House of Representatives or the Sec-*  
20          *retary of the Senate for salaries, expenses, and oper-*  
21          *ations of the Capitol Police shall be transferred to the*  
22          *Chief of the Capitol Police.*

23          (d) *UNEXPENDED BALANCES.*—*Except as may other-*  
24          *wise be provided in law, the unexpended balances of appro-*  
25          *priations for the fiscal year 2003 and succeeding fiscal*

1 *years that are subject to disbursement by the Chief of the*  
2 *Capitol Police shall be withdrawn as of September 30 of*  
3 *the fifth fiscal year following the period or year for which*  
4 *provided. Unpaid obligations chargeable to any of the bal-*  
5 *ances so withdrawn or appropriations for prior years shall*  
6 *be liquidated from any appropriations for the same general*  
7 *purpose, which, at the time of payment, are available for*  
8 *disbursement.*

9       *(e) HIRING AUTHORITY; ELIGIBILITY FOR SAME BEN-*  
10 *EFITS AS HOUSE EMPLOYEES.—*

11           *(1) AUTHORITY.—*

12                   *(A) IN GENERAL.—Subject to subparagraph*  
13 *(B), the Chief of the Capitol Police, in carrying*  
14 *out the duties of office, is authorized to appoint,*  
15 *hire, discharge, and set the terms, conditions,*  
16 *and privileges of employment of employees of the*  
17 *Capitol Police, subject to and in accordance with*  
18 *applicable laws and regulations.*

19                   *(B) REVIEW OR APPROVAL.—In carrying*  
20 *out the authority provided under this paragraph,*  
21 *the Chief of the Capitol Police shall be subject to*  
22 *the same statutory requirements for review or*  
23 *approval by committees of Congress that were*  
24 *applicable to the Capitol Police Board on the*  
25 *day before the date of enactment of this Act.*



1           (2) *BENEFITS.*—*Employees of the Capitol Police*  
2 *who are appointed by the Chief under the authority*  
3 *of this subsection shall be subject to the same type of*  
4 *benefits (including the payment of death gratuities,*  
5 *the withholding of debt, and health, retirement, Social*  
6 *Security, and other applicable employee benefits) as*  
7 *are provided to employees of the House of Representa-*  
8 *tives, and any such individuals serving as employees*  
9 *of the Capitol Police as of the date of enactment of*  
10 *this Act shall be subject to the same rules governing*  
11 *rights, protections, pay, and benefits in effect imme-*  
12 *diately before such date until such rules are changed*  
13 *under applicable laws or regulations.*

14           (f) *WORKER'S COMPENSATION.*—

15           (1) *ACCOUNT.*—*There shall be established a separ-*  
16 *ate account in the Capitol Police for purposes of*  
17 *making payments for employees of the Capitol Police*  
18 *under section 8147 of title 5, United States Code.*

19           (2) *PAYMENTS WITHOUT FISCAL YEAR LIMITA-*  
20 *TION.*—*Notwithstanding any other provision of law,*  
21 *payments may be made from the account established*  
22 *under paragraph (1) of this subsection without regard*  
23 *to the fiscal year for which the obligation to make*  
24 *such payments is incurred.*

25           (g) *EFFECT ON EXISTING LAW.*—

1           (1) *IN GENERAL.*—*The provisions of this section*  
2           *shall not be construed to reduce the pay or benefits of*  
3           *any employee of the Capitol Police whose pay was*  
4           *disbursed by the Chief Administrative Officer of the*  
5           *House of Representatives or the Secretary of the Sen-*  
6           *ate before the date of enactment of this Act.*

7           (2) *SUPERSEDING PROVISIONS.*—*All provisions*  
8           *of law inconsistent with this section are hereby super-*  
9           *seded to the extent of the inconsistency.*

10          (h) *CONFORMING AMENDMENTS.*—(1) *Section 1821 of*  
11          *the Revised Statutes of the United States (2 U.S.C. 1901)*  
12          *is amended by striking the third sentence.*

13          (2) *Section 1822 of the Revised Statutes of the United*  
14          *States (2 U.S.C. 1921) is repealed.*

15          (3) *Section 111 of title I of the Act entitled “Making*  
16          *supplemental appropriations for the fiscal year ending Sep-*  
17          *tember 30, 1977, and for other purposes”, approved May*  
18          *4, 1977 (2 U.S.C. 64–3), is amended—*

19                 (A) *by striking “Secretary of the Senate” and*  
20                 *inserting “Chief of the Capitol Police”; and*

21                 (B) *by striking “United States Senate” and in-*  
22                 *serting “Capitol Police”.*

23          (i) *EFFECTIVE DATE.*—*This section and the amend-*  
24          *ments made by this section shall take effect on the date of*



1 *which not more than \$100,000 is to remain available until*  
2 *September 30, 2006, for the acquisition and partial support*  
3 *for implementation of a Central Financial Management*  
4 *System: Provided, That no part of such amount may be*  
5 *used for the purchase or hire of a passenger motor vehicle.*

6 *ADMINISTRATIVE PROVISIONS*

7 *SEC. 1101. (a) The Director of the Congressional*  
8 *Budget Office may, by regulation, make applicable such*  
9 *provisions of section 3396 of title 5, United States Code,*  
10 *as the Director determines necessary to establish a program*  
11 *providing opportunities for employees of the Office to en-*  
12 *gage in details or other temporary assignments in other*  
13 *agencies, study or uncompensated work experience which*  
14 *will contribute to the employees' development and effective-*  
15 *ness.*

16 *(b) EFFECTIVE DATE.—This section shall apply to fis-*  
17 *cal year 2003 and each fiscal year thereafter.*

18 *SEC. 1102. (a) The Director of the Congressional*  
19 *Budget Office may enter into agreements or contracts with-*  
20 *out regard to section 3709 of the Revised Statutes of the*  
21 *United States (41 U.S.C. 5).*

22 *(b) EFFECTIVE DATE.—This section shall apply to fis-*  
23 *cal year 2003 and each fiscal year thereafter.*

1                    *ARCHITECT OF THE CAPITOL*

2                    *GENERAL ADMINISTRATION*

3            *For salaries for the Architect of the Capitol, and other*  
4 *personal services, at rates of pay provided by law; for sur-*  
5 *veys and studies in connection with activities under the*  
6 *care of the Architect of the Capitol; for all necessary ex-*  
7 *penses for the general and administrative support of the*  
8 *operations under the Architect of the Capitol including the*  
9 *Botanic Garden; electrical substations of the Capitol, Sen-*  
10 *ate and House office buildings, and other facilities under*  
11 *the jurisdiction of the Architect of the Capitol; including*  
12 *furnishings and office equipment; including not more than*  
13 *\$5,000 for official reception and representation expenses, to*  
14 *be expended as the Architect of the Capitol may approve;*  
15 *for purchase or exchange, maintenance, and operation of*  
16 *a passenger motor vehicle, \$59,343,000, of which \$450,000*  
17 *shall remain available until September 30, 2007.*

18                    *CAPITOL BUILDING*

19            *For all necessary expenses for the maintenance, care*  
20 *and operation of the Capitol, \$32,094,000, of which*  
21 *\$19,065,000 shall remain available until September 30,*  
22 *2007.*

23                    *CAPITOL GROUNDS*

24            *For all necessary expenses for care and improvement*  
25 *of grounds surrounding the Capitol, the Senate and House*

1 *office buildings, and the Capitol Power Plant, \$8,356,000,*  
2 *of which \$1,780,000 shall remain available until September*  
3 *30, 2007.*

4 *SENATE OFFICE BUILDINGS*

5 *For all necessary expenses for the maintenance, care*  
6 *and operation of Senate office buildings; and furniture and*  
7 *furnishings to be expended under the control and super-*  
8 *vision of the Architect of the Capitol, \$64,871,000, of which*  
9 *\$21,600,000 shall remain available until September 30,*  
10 *2007.*

11 *CAPITOL POWER PLANT*

12 *For all necessary expenses for the maintenance, care*  
13 *and operation of the Capitol Power Plant; lighting, heating,*  
14 *power (including the purchase of electrical energy) and*  
15 *water and sewer services for the Capitol, Senate and House*  
16 *office buildings, Library of Congress buildings, and the*  
17 *grounds about the same, Botanic Garden, Senate garage,*  
18 *and air conditioning refrigeration not supplied from plants*  
19 *in any of such buildings; heating the Government Printing*  
20 *Office and Washington City Post Office, and heating and*  
21 *chilled water for air conditioning for the Supreme Court*  
22 *Building, the Union Station complex, the Thurgood Mar-*  
23 *shall Federal Judiciary Building and the Folger Shake-*  
24 *speare Library, expenses for which shall be advanced or re-*  
25 *imbursed upon request of the Architect of the Capitol and*

1 amounts so received shall be deposited into the Treasury  
2 to the credit of this appropriation, \$102,286,000, of which  
3 \$61,739,000 shall remain available until September 30,  
4 2007: Provided, That not more than \$4,400,000 of the funds  
5 credited or to be reimbursed to this appropriation as herein  
6 provided shall be available for obligation during fiscal year  
7 2003.

8 *LIBRARY BUILDINGS AND GROUNDS*

9 *For all necessary expenses for the mechanical and*  
10 *structural maintenance, care and operation of the Library*  
11 *buildings and grounds, \$37,521,000, of which \$18,014,000*  
12 *shall remain available until September 30, 2007 and*  
13 *\$5,500,000 shall remain available until expended.*

14 *CAPITOL POLICE BUILDINGS AND GROUNDS*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For all necessary expenses for the maintenance, care,*  
17 *and operation of buildings and grounds of the United States*  
18 *Capitol Police, \$23,900,000, of which \$23,500,000 shall re-*  
19 *main available until September 30, 2007: Provided, That*  
20 *\$22,000,000 of the amount provided is withheld from obli-*  
21 *gation subject to the notification of the Committees on Ap-*  
22 *propriations of the House of Representatives and Senate:*  
23 *Provided further, That any amounts provided to the Archi-*  
24 *tect of the Capitol prior to the date of the enactment of this*  
25 *Act for maintenance, care, and operation of buildings of*

1 *the United States Capitol Police which remain unobligated*  
2 *as of the date of the enactment of this Act shall be trans-*  
3 *ferred to the account under this heading.*

4 *BOTANIC GARDEN*

5 *For all necessary expenses for the maintenance, care*  
6 *and operation of the Botanic Garden and the nurseries,*  
7 *buildings, grounds, and collections; and purchase and ex-*  
8 *change, maintenance, repair, and operation of a passenger*  
9 *motor vehicle; all under the direction of the Joint Com-*  
10 *mittee on the Library, \$6,103,000, of which \$120,000 shall*  
11 *remain available until September 30, 2007: Provided, That*  
12 *this appropriation shall not be available for any activities*  
13 *of the National Garden.*

14 *ADMINISTRATIVE PROVISIONS*

15 *SEC. 1201. SMALL PURCHASE CONTRACTING AUTHOR-*  
16 *ITY. (a) IN GENERAL.—Notwithstanding any other provi-*  
17 *sion of law—*

18 *(1) section 3709 of the Revised Statutes of the*  
19 *United States (41 U.S.C. 5) shall apply with respect*  
20 *to purchases and contracts for the Architect of the*  
21 *Capitol as if the reference to “\$25,000” in paragraph*  
22 *(1) of such section were a reference to “\$100,000”;*  
23 *and*



1           (2) *the Architect may procure services, equip-*  
 2           *ment, and construction for security related projects in*  
 3           *the most efficient manner he determines appropriate.*

4           **(b) EFFECTIVE DATE.**—*This section shall apply to fis-*  
 5           *cal year 2003 and each fiscal year thereafter.*

6           **SEC. 1202. MULTI-YEAR CONTRACT AUTHORITY.** *(a) IN*  
 7           **GENERAL.**—*The Architect of the Capitol may—*

8           (1) *enter into contracts for the acquisition of sev-*  
 9           *erable services for a period that begins in 1 fiscal*  
 10           *year and ends in the next fiscal year to the same ex-*  
 11           *tent as the head of an executive agency under the au-*  
 12           *thority of section 303L of the Federal Property and*  
 13           *Administrative Services Act of 1949 (41 U.S.C. 253l);*  
 14           *and*

15           (2) *enter into multiyear contracts for the acqui-*  
 16           *sitions of property and nonaudit-related services to*  
 17           *the same extent as executive agencies under the au-*  
 18           *thority of section 304B of the Federal Property and*  
 19           *Administrative Services Act of 1949 (41 U.S.C. 254c).*

20           **(b) EFFECTIVE DATE.**—*This section shall apply to fis-*  
 21           *cal year 2003 and each fiscal year thereafter.*

22           **SEC. 1203. DEPUTY ARCHITECT OF THE CAPITOL/**  
 23           **CHIEF OPERATING OFFICER.** *(a) ESTABLISHMENT OF DEP-*  
 24           **UTY ARCHITECT OF THE CAPITOL.**—*There shall be a Dep-*  
 25           *uty Architect of the Capitol who shall serve as the Chief*

1 *Operating Officer of the Office of the Architect of the Cap-*  
2 *itol. The Deputy Architect of the Capitol shall be appointed*  
3 *by the Architect of the Capitol and shall report directly to*  
4 *the Architect of the Capitol and shall be subject to the au-*  
5 *thority of the Architect of the Capitol. The Architect of the*  
6 *Capitol shall appoint the Deputy Architect of the Capitol*  
7 *not later than 90 days after the date of enactment of this*  
8 *Act. The appointment shall be made without regard to po-*  
9 *litical affiliation or activity. The Architect of the Capitol*  
10 *shall consult with the Comptroller General or his designee*  
11 *before making the appointment.*

12       (b) *QUALIFICATIONS.—The Deputy Architect of the*  
13 *Capitol shall have strong leadership skills and demonstrated*  
14 *ability in management, including in such areas as strategic*  
15 *planning, performance management, worker safety, cus-*  
16 *tomers satisfaction, and service quality.*

17       (c) *RESPONSIBILITIES.—*

18           (1) *IN GENERAL.—The Deputy Architect of the*  
19 *Capitol shall be responsible to the Architect of the*  
20 *Capitol for the overall direction, operation, and man-*  
21 *agement of the Office of the Architect of the Capitol,*  
22 *including implementing the Office's goals and mis-*  
23 *sion; providing overall organization management to*  
24 *improve the Office's performance; and assisting the*

1 *Architect of the Capitol in promoting reform, and*  
2 *measuring results.*

3 (2) *RESPONSIBILITIES.—The Deputy Architect’s*  
4 *responsibilities include—*

5 (A) *developing, implementing, annually up-*  
6 *dating, and maintaining a long-term strategic*  
7 *plan covering a period of not less than 5 years*  
8 *for the Office of the Architect of the Capitol, in-*  
9 *cluding the establishment of—*

10 (i) *a comprehensive mission statement*  
11 *covering the major functions and operations*  
12 *of the Office; and*

13 (ii) *general goals and objectives, in-*  
14 *cluding outcome-related goals and objectives,*  
15 *for the major functions and operations of*  
16 *the Office;*

17 (B) *developing and implementing an an-*  
18 *nuual performance plan that includes annual per-*  
19 *formance goals covering each of the general goals*  
20 *and objectives in the strategic plan and includ-*  
21 *ing to the extent practicable quantifiable per-*  
22 *formance measures for the annual goals;*

23 (C) *proposing organizational changes and*  
24 *new positions needed to carry out the Office of*

1           *the Architect of the Capitol's mission and stra-*  
2           *tegic and annual performance goals; and*

3                   *(D) reviewing and directing the operational*  
4           *functions of the Office of the Architect of the*  
5           *Capitol, including—*

6                           *(i) facilities and project management;*

7                           *(ii) administration and modernization*  
8           *of systems employed by the Office;*

9                           *(iii) productivity and cost-saving*  
10           *measures;*

11                           *(iv) strategic human capital manage-*  
12           *ment, including performance management*  
13           *and training and development initiatives;*  
14           *and*

15                           *(v) financial management, including*  
16           *the integration of operational functions and*  
17           *financial management to ensure that budg-*  
18           *ets, financial information, and systems sup-*  
19           *port the strategic and annual plans devel-*  
20           *oped under this subsection.*

21           *(d) ADDITIONAL RESPONSIBILITIES.—The Architect of*  
22           *the Capitol may delegate to the Deputy Architect such addi-*  
23           *tional duties as the Architect determines are necessary or*  
24           *appropriate.*

25           *(e) ACTION PLAN.—*

1           (1) *IN GENERAL.*—No later than 180 days after  
2           the appointment, the Deputy Architect shall prepare  
3           and submit to the Committees on Appropriations of  
4           the House of Representatives and Senate and the  
5           Committee on Rules and Administration of the Sen-  
6           ate, an action plan describing the policies, procedures,  
7           and actions the Deputy Architect will implement and  
8           timeframes for carrying out the responsibilities under  
9           this section.

10           (2) *ACTION PLAN.*—The action plan shall be—

11                   (A) approved and signed by both the Archi-  
12                   tect of the Capitol and the Deputy Architect; and

13                   (B) developed concurrently and consistent  
14                   with the development of a strategic plan.

15           (3) *ADDITIONAL SENIOR POSITIONS.*—Notwith-  
16           standing the provisions in section 129(c) of the Legis-  
17           lative Branch Appropriations Act, 2002, Public Law  
18           107–68, the Architect of the Capitol may, upon sub-  
19           mission of the action plan, fix the rate of basic pay  
20           for not more than 3 additional positions at a rate not  
21           to exceed the highest total rate of pay for the Senior  
22           Executive Service under subchapter VIII of chapter  
23           53 of title 5, United States Code, for the locality in-  
24           volved, in order to implement the action plan.

1           (f) *EVALUATION.*—Effective 180 days from the ap-  
2   pointment of the Deputy Architect of the Capitol, the Gen-  
3   eral Accounting Office shall evaluate at least annually the  
4   implementation of the action plan and provide the results  
5   of the evaluation to the Architect of the Capitol, the Com-  
6   mittees on Appropriations of the House of Representatives  
7   and Senate and the Committee on Rules and Administra-  
8   tion of the Senate.

9           (g) *REMOVAL.*—The Deputy Architect of the Capitol  
10  may be removed by the Architect of the Capitol for mis-  
11  conduct or failure to meet performance goals set forth in  
12  the performance agreement in subsection (i). Upon the re-  
13  moval of the Deputy Architect of the Capitol, the Architect  
14  of the Capitol shall immediately notify in writing the Com-  
15  mittees on Appropriations of the House of Representatives  
16  and Senate, the Committee on House Administration of the  
17  House of Representatives, and the Committee on Rules and  
18  Administration of the Senate, stating the specific reasons  
19  for the removal.

20          (h) *COMPENSATION.*—The Deputy Architect of the  
21  Capitol shall be paid at an annual rate of pay to be deter-  
22  mined by the Architect but not to exceed \$1,000 less than  
23  the annual rate of pay for the Architect of the Capitol.

24          (i) *ANNUAL PERFORMANCE AGREEMENT.*—The Archi-  
25  tect of the Capitol and the Deputy Architect of the Capitol,

1 *shall enter into an annual performance agreement that sets*  
2 *forth measurable individual goals linked to the organiza-*  
3 *tional goals in the Office of the Architect of the Capitol's*  
4 *annual performance plan for the Deputy Architect of the*  
5 *Capitol in key operational areas. The agreement shall be*  
6 *subject to review and renegotiation on an annual basis.*

7       (j) *ANNUAL PERFORMANCE REPORT.—The Deputy Ar-*  
8 *chitect of the Capitol shall prepare and transmit to the Ar-*  
9 *chitect of the Capitol an annual performance report. This*  
10 *report shall contain an evaluation of the extent to which*  
11 *the Office of the Architect of the Capitol met the goals and*  
12 *objectives identified in the annual performance plan in sub-*  
13 *section (c)(2) for the preceding year and an explanation*  
14 *of the results achieved during the preceding year relative*  
15 *to the established goals. This report shall also include the*  
16 *evaluation rating of the performance of the Deputy Archi-*  
17 *tect of the Capitol under subsection (h), including the*  
18 *amounts of bonus compensation awarded to the Deputy Ar-*  
19 *chitect of the Capitol, and such additional information as*  
20 *may be prescribed by the Architect of the Capitol.*

21       (k) *TERMINATION OF ROLE.—As of October 1, 2004,*  
22 *the role of the Comptroller General and the General Ac-*  
23 *counting Office, as established by this section, will cease.*

24       *SEC. 1204. DEPUTY ARCHITECT TO ACT IN CASE OF*  
25 *ABSENCE, DISABILITY, OR VACANCY. The proviso under the*

1 subheading “SALARIES” under the heading “OFFICE OF  
2 THE ARCHITECT OF THE CAPITOL” under the heading “AR-  
3 CHITECT OF THE CAPITOL” of the Legislative Branch  
4 Appropriations Act, 1971 (40 U.S.C. 164a) is amended by  
5 striking “Assistant Architect” and inserting “Deputy Ar-  
6 chitect”.

7       SEC. 1205. DELEGATION OF AUTHORITY BY ARCHI-  
8 TECT OF THE CAPITOL. The matter under the subheading  
9 “OFFICE OF THE ARCHITECT OF THE CAPITOL” under the  
10 heading “ARCHITECT OF THE CAPITOL” of the Legis-  
11 lative Appropriation Act, 1956 (40 U.S.C. 163b) is amend-  
12 ed by striking “Architect of the Capitol is authorized”  
13 through “proper” and inserting “Architect of the Capitol  
14 may delegate to the assistants of the Architect such author-  
15 ity of the Architect as the Architect may determine proper,  
16 except those authorities, duties, and responsibilities specifi-  
17 cally assigned to the Deputy Architect of the Capitol by the  
18 Legislative Branch Appropriations Act, 2003”.

19       SEC. 1206. ASSISTANT ARCHITECT. Notwithstanding  
20 any other provision of law, the compensation of the Assist-  
21 ant Architect who is incumbent in that position when the  
22 position of Assistant Architect is abolished shall not be re-  
23 duced so long as the former Assistant Architect is employed  
24 at the Office of the Architect of the Capitol. Whenever the  
25 Architect of the Capitol receives a pay adjustment after the



1 *date of enactment of this section, the compensation of such*  
2 *former Assistant Architect shall be adjusted by the same*  
3 *percentage as the compensation of the Architect of the Cap-*  
4 *itol. The authority granted in this section shall be in addi-*  
5 *tion to the authority the Architect of the Capitol has in*  
6 *section 129(c)(1)(A) of the Legislative Branch Appropria-*  
7 *tions Act, 2002, as amended by this Act, to fix the rate*  
8 *of basic pay for not more than 15 positions at a rate not*  
9 *to exceed the highest total rate of pay for the Senior Execu-*  
10 *tive Service under subchapter VIII of chapter 53 of title*  
11 *5, United States Code, for the locality involved.*

12       *SEC. 1207. SENATE STAFF HEALTH AND FITNESS FA-*  
13 *CILITY. Section 4 of the Legislative Branch Appropriations*  
14 *Act, 2001 (2 U.S.C. 121f) is amended—*

15           *(1) in subsection (a), by inserting “Staff” after*  
16           *“Senate”;*

17           *(2) in subsection (b)(1), by inserting “Staff”*  
18           *after “Senate”;*

19           *(3) in subsection (c), by inserting “Staff” after*  
20           *“costs of the Senate”;*

21           *(4) in subsection (d), by inserting “Staff” after*  
22           *“Senate”; and*

23           *(5) by striking subsection (e) and inserting the*  
24           *following:*

1       “(e) *The Committee on Rules and Administration of*  
 2 *the Senate shall promulgate regulations pertaining to the*  
 3 *operation and use of the Senate Staff Health and Fitness*  
 4 *Facility.*”.

5       *SEC. 1208. ALLOCATION OF RESPONSIBILITY FOR LI-*  
 6 *BRARY BUILDINGS AND GROUNDS. (a) IN GENERAL.—The*  
 7 *first section of the Act of June 29, 1922 (2 U.S.C. 141)*  
 8 *is amended to read as follows:*

9       **“SECTION 1. ALLOCATION OF RESPONSIBILITIES FOR LI-**  
 10                                   **BRARY BUILDINGS AND GROUNDS.**

11       “(a) *ARCHITECT OF THE CAPITOL.—*

12               “(1) *IN GENERAL.—The Architect of the Capitol*  
 13 *shall have charge of all work at the Library of Con-*  
 14 *gress buildings and grounds (as defined in section 11*  
 15 *of the Act entitled ‘An Act relating to the policing of*  
 16 *the buildings of the Library of Congress’ approved*  
 17 *August 4, 1950 (2 U.S.C. 167(j)) that affects—*

18                       “(A) *the structural integrity of the build-*  
 19                       *ings;*

20                       “(B) *buildings systems, including mechan-*  
 21 *ical, electrical, plumbing, and elevators;*

22                       “(C) *the architectural features of the build-*  
 23 *ings;*

24                       “(D) *compliance with building and fire*  
 25 *codes, laws, and regulations with respect to the*

1           *specific responsibilities set for under this para-*  
2           *graph;*

3           “(E) *the care and maintenance of Library*  
4           *grounds; and*

5           “(F) *purchase of all equipment necessary to*  
6           *fulfill the responsibilities set forth under this*  
7           *paragraph.*

8           “(2) *EMPLOYEES.—The employees required for*  
9           *the performance of the duties under paragraph (1)*  
10          *shall be appointed by the Architect of the Capitol.*

11          “(b) *LIBRARIAN OF CONGRESS.—The Librarian of*  
12          *Congress shall have charge of all work (other than work*  
13          *under subsection (a)) at the Library of Congress buildings*  
14          *and grounds.*

15          “(c) *TRANSFER OF FUNDS.—The Architect of the Cap-*  
16          *itol and the Librarian of Congress may enter into agree-*  
17          *ments with each other to perform work under this section,*  
18          *and, subject to the approval of the Committees on Appro-*  
19          *priations of the House of Representatives and the Senate*  
20          *and the Joint Committee on the Library, may transfer be-*  
21          *tween themselves appropriations or other available funds to*  
22          *pay the costs therefor.”.*

23          “(b) *EFFECTIVE DATE.—The amendments made by this*  
24          *section shall apply to fiscal year 2003 and each fiscal year*  
25          *thereafter.*

## LIBRARY OF CONGRESS

## SALARIES AND EXPENSES

1  
2  
3       *For necessary expenses of the Library of Congress not*  
4 *otherwise provided for, including development and mainte-*  
5 *nance of the Union Catalogs; custody and custodial care*  
6 *of the Library buildings; special clothing; cleaning, laun-*  
7 *dering and repair of uniforms; preservation of motion pic-*  
8 *tures in the custody of the Library; operation and mainte-*  
9 *nance of the American Folklife Center in the Library; prep-*  
10 *aration and distribution of catalog records and other publi-*  
11 *cations of the Library; hire or purchase of one passenger*  
12 *motor vehicle; and expenses of the Library of Congress Trust*  
13 *Fund Board not properly chargeable to the income of any*  
14 *trust fund held by the Board, \$358,474,000, of which not*  
15 *more than \$6,500,000 shall be derived from collections cred-*  
16 *ited to this appropriation during fiscal year 2003, and*  
17 *shall remain available until expended, under the Act of*  
18 *June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150)*  
19 *and not more than \$350,000 shall be derived from collec-*  
20 *tions during fiscal year 2003 and shall remain available*  
21 *until expended for the development and maintenance of an*  
22 *international legal information database and activities re-*  
23 *lated thereto: Provided, That the Library of Congress may*  
24 *not obligate or expend any funds derived from collections*  
25 *under the Act of June 28, 1902, in excess of the amount*

1 *authorized for obligation or expenditure in appropriations*  
2 *Acts: Provided further, That the total amount available for*  
3 *obligation shall be reduced by the amount by which collec-*  
4 *tions are less than the \$6,850,000: Provided further, That*  
5 *of the total amount appropriated, \$10,886,000 is to remain*  
6 *available until expended for acquisition of books, periodi-*  
7 *cals, newspapers, and all other materials including sub-*  
8 *scriptions for bibliographic services for the Library, includ-*  
9 *ing \$40,000 to be available solely for the purchase, when*  
10 *specifically approved by the Librarian, of special and*  
11 *unique materials for additions to the collections: Provided*  
12 *further, That of the total amount appropriated, not more*  
13 *than \$12,000 may be expended, on the certification of the*  
14 *Librarian of Congress, in connection with official represen-*  
15 *tation and reception expenses for the Overseas Field Offices:*  
16 *Provided further, That of the total amount appropriated,*  
17 *\$1,793,000 shall remain available until expended for the ac-*  
18 *quisition and partial support for implementation of an In-*  
19 *tegrated Library System (ILS): Provided further, That of*  
20 *the total amount appropriated, \$11,100,000 shall remain*  
21 *available until expended for the purpose of teaching edu-*  
22 *cators how to incorporate the Library's digital collections*  
23 *into school curricula and shall be transferred to the edu-*  
24 *cational consortium formed to conduct the "Joining Hands*  
25 *Across America: Local Community Initiative" project as*

1 *approved by the Library: Provided further, That of the*  
2 *amount appropriated, \$500,000 shall remain available*  
3 *until expended, and shall be transferred to the Abraham*  
4 *Lincoln Bicentennial Commission for carrying out the pur-*  
5 *poses of Public Law 106–173, of which amount \$10,000*  
6 *may be used for official representation and reception ex-*  
7 *penses of the Abraham Lincoln Bicentennial Commission:*  
8 *Provided further, That of the total amount appropriated,*  
9 *\$5,250,000 shall remain available until September 30, 2007*  
10 *for the acquisition and partial support for implementation*  
11 *of a Central Financial Management System: Provided fur-*  
12 *ther, That of the total amount appropriated, \$789,000 shall*  
13 *remain available until September 30, 2004 for the Lewis*  
14 *and Clark Exhibition and an additional \$200,000 shall re-*  
15 *main available until expended, and shall be transferred to*  
16 *Southern Illinois University for the purpose of developing*  
17 *a permanent commemoration of the Lewis and Clark Expe-*  
18 *dition: Provided further, That, of the total amount appro-*  
19 *priated, \$500,000 shall remain available until expended*  
20 *and shall be equally divided and transferred to the Alexan-*  
21 *dria Museum of Art and the New Orleans Museum of Art*  
22 *for activities relating to the Louisiana Purchase Bicenten-*  
23 *nal Celebration.*

## COPYRIGHT OFFICE

## SALARIES AND EXPENSES

1           *For necessary expenses of the Copyright Office,*  
2           *\$39,226,000, of which not more than \$23,321,000, to re-*  
3           *main available until expended, shall be derived from collec-*  
4           *tions credited to this appropriation during fiscal year 2003*  
5           *under section 708(d) of title 17, United States Code: Pro-*  
6           *vided, That the Copyright Office may not obligate or expend*  
7           *any funds derived from collections under such section, in*  
8           *excess of the amount authorized for obligation or expendi-*  
9           *ture in appropriations Acts: Provided further, That not*  
10           *more than \$6,191,000 shall be derived from collections dur-*  
11           *ing fiscal year 2003 under sections 111(d)(2), 119(b)(2),*  
12           *802(h), and 1005 of such title: Provided further, That the*  
13           *total amount available for obligation shall be reduced by*  
14           *the amount by which collections are less than \$29,512,000:*  
15           *Provided further, That not more than \$100,000 of the*  
16           *amount appropriated is available for the maintenance of*  
17           *an “International Copyright Institute” in the Copyright*  
18           *Office of the Library of Congress for the purpose of training*  
19           *nationals of developing countries in intellectual property*  
20           *laws and policies: Provided further, That not more than*  
21           *\$4,250 may be expended, on the certification of the Librar-*  
22           *ian of Congress, in connection with official representation*  
23           *and reception expenses for activities of the International*  
24           *and reception expenses for activities of the International*  
25

1 *Copyright Institute and for copyright delegations, visitors,*  
2 *and seminars.*

3 *CONGRESSIONAL RESEARCH SERVICE*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses to carry out the provisions of*  
6 *section 203 of the Legislative Reorganization Act of 1946*  
7 *(2 U.S.C. 166) and to revise and extend the Annotated Con-*  
8 *stitution of the United States of America, \$86,952,000: Pro-*  
9 *vided, That no part of such amount may be used to pay*  
10 *any salary or expense in connection with any publication,*  
11 *or preparation of material therefor (except the Digest of*  
12 *Public General Bills), to be issued by the Library of Con-*  
13 *gress unless such publication has obtained prior approval*  
14 *of either the Committee on House Administration of the*  
15 *House of Representatives or the Committee on Rules and*  
16 *Administration of the Senate.*

17 *BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED*

18 *SALARIES AND EXPENSES*

19 *For salaries and expenses to carry out the Act of March*  
20 *3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a),*  
21 *\$50,963,000, of which \$13,697,000 shall remain available*  
22 *until expended: Provided, That, of the total amount appro-*  
23 *priated, \$1,000,000 shall remain available until expended*  
24 *to reimburse the National Federation of the Blind for costs*  
25 *incurred in the operation of its "NEWSLINE" program.*





1 *the period of availability of the Library appropriation ex-*  
2 *pires.*

3       *SEC. 1303. NATIONAL DIGITAL INFORMATION INFRA-*  
4 *STRUCTURE AND PRESERVATION PROGRAM.—The Miscella-*  
5 *neous Appropriations Act, 2001 (as enacted by section*  
6 *1(a)(4) of Public Law 106–554, 114 Stat. 2763A–194), di-*  
7 *vision A, chapter 9, under the heading “Library of Con-*  
8 *gress” “Salaries and Expenses” is amended by striking*  
9 *“March 31, 2003” and inserting “March 31, 2005”.*

10       *SEC. 1304. ABRAHAM LINCOLN BICENTENNIAL COM-*  
11 *MISSION. The Abraham Lincoln Bicentennial Commission*  
12 *Act (36 U.S.C. note prec. 101; Public Law 106–173) is*  
13 *amended—*

14             *(1) in section 6(b), by striking paragraph (2)*  
15             *and inserting the following:*

16             *“(2) STAFF.—Consistent with all other applica-*  
17             *ble Federal laws governing appointments and com-*  
18             *ensation, the staff of the Commission may be ap-*  
19             *pointed without regard to the provisions of title 5,*  
20             *United States Code, governing appointments in the*  
21             *competitive service, and may be paid without regard*  
22             *to the provisions of chapter 51 and subchapter III of*  
23             *chapter 53 of that title relating to classification and*  
24             *General Schedule pay rates.”; and*

1           (2) in section 7(h)(3), by striking “subsection  
2           (b)(2)” and inserting “section 6(b)(2)”.

3                           *GOVERNMENT PRINTING OFFICE*

4                           *CONGRESSIONAL PRINTING AND BINDING*

5                           *(INCLUDING TRANSFER OF FUNDS)*

6           *For authorized printing and binding for the Congress*  
7 *and the distribution of Congressional information in any*  
8 *format; printing and binding for the Architect of the Cap-*  
9 *itol; expenses necessary for preparing the semimonthly and*  
10 *session index to the Congressional Record, as authorized by*  
11 *law (section 902 of title 44, United States Code); printing*  
12 *and binding of Government publications authorized by law*  
13 *to be distributed to Members of Congress; and printing,*  
14 *binding, and distribution of Government publications au-*  
15 *thorized by law to be distributed without charge to the re-*  
16 *cipient, \$90,143,000: Provided, That this appropriation*  
17 *shall not be available for paper copies of the permanent edi-*  
18 *tion of the Congressional Record for individual Representa-*  
19 *tives, Resident Commissioners or Delegates authorized*  
20 *under section 906 of title 44, United States Code: Provided*  
21 *further, That this appropriation shall be available for the*  
22 *payment of obligations incurred under the appropriations*  
23 *for similar purposes for preceding fiscal years: Provided*  
24 *further, That notwithstanding the 2-year limitation under*  
25 *section 718 of title 44, United States Code, none of the funds*

1 *appropriated or made available under this Act or any other*  
2 *Act for printing and binding and related services provided*  
3 *to Congress under chapter 7 of title 44, United States Code,*  
4 *may be expended to print a document, report, or publica-*  
5 *tion after the 27-month period beginning on the date that*  
6 *such document, report, or publication is authorized by Con-*  
7 *gress to be printed, unless Congress reauthorizes such print-*  
8 *ing in accordance with section 718 of title 44, United States*  
9 *Code: Provided further, That any unobligated or unex-*  
10 *pended balances in this account or accounts for similar*  
11 *purposes for preceding fiscal years may be transferred to*  
12 *the Government Printing Office revolving fund for carrying*  
13 *out the purposes of this heading, subject to the approval*  
14 *of the Committees on Appropriations of the House of Rep-*  
15 *resentatives and Senate.*

16 *OFFICE OF SUPERINTENDENT OF DOCUMENTS*

17 *SALARIES AND EXPENSES*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For expenses of the Office of Superintendent of Docu-*  
20 *ments necessary to provide for the cataloging and indexing*  
21 *of Government publications and their distribution to the*  
22 *public, Members of Congress, other Government agencies,*  
23 *and designated depository and international exchange li-*  
24 *braries as authorized by law, \$29,661,000: Provided, That*  
25 *amounts of not more than \$2,000,000 from current year*  
26 *appropriations are authorized for producing and dissemi-*

1 *nating Congressional serial sets and other related publica-*  
2 *tions for 2001 and 2002 to depository and other designated*  
3 *libraries: Provided further, That any unobligated or unex-*  
4 *pended balances in this account or accounts for similar*  
5 *purposes for preceding fiscal years may be transferred to*  
6 *the Government Printing Office revolving fund for carrying*  
7 *out the purposes of this heading, subject to the approval*  
8 *of the Committees on Appropriations of the House of Rep-*  
9 *resentatives and Senate.*

10       *GOVERNMENT PRINTING OFFICE REVOLVING FUND*

11       *The Government Printing Office is hereby authorized*  
12 *to make such expenditures, within the limits of funds avail-*  
13 *able and in accord with the law, and to make such contracts*  
14 *and commitments without regard to fiscal year limitations*  
15 *as provided by section 9104 of title 31, United States Code,*  
16 *as may be necessary in carrying out the programs and pur-*  
17 *poses set forth in the budget for the current fiscal year for*  
18 *the Government Printing Office revolving fund: Provided,*  
19 *That not more than \$2,500 may be expended on the certifi-*  
20 *cation of the Public Printer in connection with official rep-*  
21 *resentation and reception expenses: Provided further, That*  
22 *the revolving fund shall be available for the hire or purchase*  
23 *of not more than 12 passenger motor vehicles: Provided fur-*  
24 *ther, That expenditures in connection with travel expenses*  
25 *of the advisory councils to the Public Printer shall be*

1 *deemed necessary to carry out the provisions of title 44,*  
2 *United States Code: Provided further, That the revolving*  
3 *fund shall be available for temporary or intermittent serv-*  
4 *ices under section 3109(b) of title 5, United States Code,*  
5 *but at rates for individuals not more than the daily equiva-*  
6 *lent of the annual rate of basic pay for level V of the Execu-*  
7 *tive Schedule under section 5316 of such title: Provided fur-*  
8 *ther, That the revolving fund and the funds provided under*  
9 *the headings “OFFICE OF SUPERINTENDENT OF DOCU-*  
10 *MENTS” and “SALARIES AND EXPENSES” together may not*  
11 *be available for the full-time equivalent employment of more*  
12 *than 3,219 workyears (or such other number of workyears*  
13 *as the Public Printer may request, subject to the approval*  
14 *of the Committees on Appropriations of the House of Rep-*  
15 *resentatives and Senate): Provided further, That activities*  
16 *financed through the revolving fund may provide informa-*  
17 *tion in any format.*

18 **GENERAL ACCOUNTING OFFICE**

19 **SALARIES AND EXPENSES**

20 *For necessary expenses of the General Accounting Of-*  
21 *fice, including not more than \$12,500 to be expended on*  
22 *the certification of the Comptroller General of the United*  
23 *States in connection with official representation and recep-*  
24 *tion expenses; temporary or intermittent services under sec-*  
25 *tion 3109(b) of title 5, United States Code, but at rates for*

1 *individuals not more than the daily equivalent of the an-*  
2 *nual rate of basic pay for level IV of the Executive Schedule*  
3 *under section 5315 of such title; hire of one passenger motor*  
4 *vehicle; advance payments in foreign countries in accord-*  
5 *ance with section 3324 of title 31, United States Code; bene-*  
6 *fits comparable to those payable under section 901(5), (6),*  
7 *and (8) of the Foreign Service Act of 1980 (22 U.S.C.*  
8 *4081(5), (6), and (8)); and under regulations prescribed by*  
9 *the Comptroller General of the United States, rental of liv-*  
10 *ing quarters in foreign countries, \$451,134,000: Provided,*  
11 *That not more than \$2,210,000 of payments received under*  
12 *section 782 of title 31, United States Code, shall be avail-*  
13 *able for use in fiscal year 2003: Provided further, That not*  
14 *more than \$790,000 of reimbursements received under sec-*  
15 *tion 9105 of title 31, United States Code, shall be available*  
16 *for use in fiscal year 2003: Provided further, That this ap-*  
17 *propriation and appropriations for administrative ex-*  
18 *penses of any other department or agency which is a mem-*  
19 *ber of the National Intergovernmental Audit Forum or a*  
20 *Regional Intergovernmental Audit Forum shall be available*  
21 *to finance an appropriate share of either Forum's costs as*  
22 *determined by the respective Forum, including necessary*  
23 *travel expenses of non-Federal participants: Provided fur-*  
24 *ther, That payments hereunder to the Forum may be cred-*  
25 *ited as reimbursements to any appropriation from which*

1 *costs involved are initially financed: Provided further, That*  
 2 *this appropriation and appropriations for administrative*  
 3 *expenses of any other department or agency which is a*  
 4 *member of the American Consortium on International Pub-*  
 5 *lic Administration (ACIPA) shall be available to finance*  
 6 *an appropriate share of ACIPA costs as determined by the*  
 7 *ACIPA, including any expenses attributable to membership*  
 8 *of ACIPA in the International Institute of Administrative*  
 9 *Sciences.*

10 *PAYMENT TO THE FOREIGN LEADERSHIP*

11 *DEVELOPMENT CENTER TRUST FUND*

12 *For a payment to the Foreign Leadership Development*  
 13 *Center Trust Fund for financing activities of the Center for*  
 14 *Foreign Development, \$13,000,000.*

15 *ADMINISTRATIVE PROVISION*

16 *SEC. 1401. CENTER FOR FOREIGN LEADERSHIP DE-*  
 17 *VELOPMENT. (a) IN GENERAL.—Section 313 of the Legisla-*  
 18 *tive Branch Appropriations Act, 2001 (Public Law 106-*  
 19 *554; 114 Stat. 2763A–120) is amended—*

20 *(1) in the section heading, by striking “RUS-*  
 21 *SIAN” and inserting “FOREIGN”;*

22 *(2) in subsection (a)—*

23 *(A) in paragraph (1), by striking “Rus-*  
 24 *sian” and inserting “Foreign”; and*



1           (B) in paragraph (2)(D), by striking  
2           “United States and Russian relations” and in-  
3           serting “relations between the United States and  
4           eligible foreign states”;

5           (3) in subsection (b)—

6           (A) in paragraph (1), by striking “Russia”  
7           and inserting “eligible foreign states”;

8           (B) in paragraph (2), by striking “Russian  
9           nationals” and inserting “nationals of eligible  
10          foreign states”;

11          (C) in paragraph (3)(B), by striking  
12          “3,000” and inserting “3,500”; and

13          (D) in paragraph (3)(C)(i), by striking  
14          “Russia” and inserting “an eligible foreign  
15          state”;

16          (4) in subsection (c)(1), by striking “Russian”  
17          and inserting “Foreign”; and

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

19          “(i) *ELIGIBLE FOREIGN STATE DEFINED.*—In this  
20          section, the term ‘eligible foreign state’ means—

21                 “(1) any country specified in section 3 of the  
22                 *FREEDOM Support Act (22 U.S.C. 5801)*; and

23                 “(2) *Estonia, Latvia, and Lithuania.*”.

1           (b) *EFFECTIVE DATE.*—*The amendments made by this*  
2 *section shall take effect 90 days after the date of enactment*  
3 *of this Act.*

4                           *TITLE II—GENERAL PROVISIONS*

5           *SEC. 201. No part of the funds appropriated in this*  
6 *Act shall be used for the maintenance or care of private*  
7 *vehicles, except for emergency assistance and cleaning as*  
8 *may be provided under regulations relating to parking fa-*  
9 *cilities for the House of Representatives issued by the Com-*  
10 *mittee on House Administration and for the Senate issued*  
11 *by the Committee on Rules and Administration.*

12           *SEC. 202. No part of the funds appropriated in this*  
13 *Act shall remain available for obligation beyond fiscal year*  
14 *2003 unless expressly so provided in this Act.*

15           *SEC. 203. Whenever in this Act any office or position*  
16 *not specifically established by the Legislative Pay Act of*  
17 *1929 is appropriated for or the rate of compensation or des-*  
18 *ignation of any office or position appropriated for is dif-*  
19 *ferent from that specifically established by such Act, the rate*  
20 *of compensation and the designation in this Act shall be*  
21 *the permanent law with respect thereto: Provided, That the*  
22 *provisions in this Act for the various items of official ex-*  
23 *penses of Members, officers, and committees of the Senate*  
24 *and House of Representatives, and clerk hire for Senators*

1 *and Members of the House of Representatives shall be the*  
2 *permanent law with respect thereto.*

3       *SEC. 204. The expenditure of any appropriation under*  
4 *this Act for any consulting service through procurement*  
5 *contract, under section 3109 of title 5, United States Code,*  
6 *shall be limited to those contracts where such expenditures*  
7 *are a matter of public record and available for public in-*  
8 *spection, except where otherwise provided under existing*  
9 *law, or under existing Executive order issued under existing*  
10 *law.*

11       *SEC. 205. Such sums as may be necessary are appro-*  
12 *priated to the account described in subsection (a) of section*  
13 *415 of the Congressional Accountability Act to pay awards*  
14 *and settlements as authorized under such subsection.*

15       *SEC. 206. Amounts available for administrative ex-*  
16 *penses of any legislative branch entity which participates*  
17 *in the Legislative Branch Financial Managers Council*  
18 *(LBFMC) established by charter on March 26, 1996, shall*  
19 *be available to finance an appropriate share of LBFMC*  
20 *costs as determined by the LBFMC, except that the total*  
21 *LBFMC costs to be shared among all participating legisla-*  
22 *tive branch entities (in such allocations among the entities*  
23 *as the entities may determine) may not exceed \$2,000.*

1       *SEC. 207. Section 316 of Public Law 101–302 is*  
 2 *amended in the first sentence of subsection (a) by striking*  
 3 *“2002” and inserting “2003”.*

4       *SEC. 208. The Architect of the Capitol, in consultation*  
 5 *with the District of Columbia, is authorized to maintain*  
 6 *and improve the landscape features, excluding streets and*  
 7 *sidewalks, in the irregular shaped grassy areas bounded by*  
 8 *Washington Avenue, SW on the northeast, Second Street*  
 9 *SW on the west, Square 582 on the south, and the beginning*  
 10 *of the I–395 tunnel on the southeast.*

11       *SEC. 209. UNITED STATES-CHINA ECONOMIC AND SE-*  
 12 *URITY REVIEW COMMISSION. (a) APPROPRIATIONS.—*  
 13 *There are appropriated, out of any funds in the Treasury*  
 14 *not otherwise appropriated, \$1,800,000, to remain available*  
 15 *until expended, to the United States-China Economic and*  
 16 *Security Review Commission.*

17       *(b) NAME CHANGE.—*

18               *(1) IN GENERAL.—Section 1238 of the Floyd D.*  
 19 *Spence National Defense Authorization Act of 2001*  
 20 *(22 U.S.C. 7002) is amended—*

21                       *(A) in the section heading by inserting*  
 22                       *“**ECONOMIC AND**” before “**SECURITY**”;*

23                       *(B) in subsection (a)—*

24                               *(i) in paragraph (1), by inserting*  
 25                               *“Economic and” before “Security”; and*

1                   (ii) in paragraph (2), by inserting  
2 “Economic and” before “Security”;

3 (C) in subsection (b)—

4                   (i) in the subsection heading, by insert-  
5 ing “ECONOMIC AND” before “SECURITY”;

6                   (ii) in paragraph (1), by inserting  
7 “Economic and” before “Security”;

8                   (iii) in paragraph (3)—

9                   (I) in the matter preceding sub-  
10 paragraph (A), by inserting “Eco-  
11 nomic and” before “Security”; and

12                   (II) in subparagraph (H), by in-  
13 serting “Economic and” before “Secu-  
14 rity”; and

15                   (iv) in paragraph (4), by inserting  
16 “Economic and” before “Security” each  
17 place it appears; and

18 (D) in subsection (e)—

19                   (i) in paragraph (1), by inserting  
20 “Economic and” before “Security”;

21                   (ii) in paragraph (2), by inserting  
22 “Economic and” before “Security”;

23                   (iii) in paragraph (3)—

1                   (I) in the first sentence, by insert-  
2                   ing “Economic and” before “Security”;  
3                   and

4                   (II) in the second sentence, by in-  
5                   serting “Economic and” before “Secu-  
6                   rity”;

7                   (iv) in paragraph (4), by inserting  
8                   “Economic and” before “Security”; and

9                   (v) in paragraph (6), by inserting  
10                  “Economic and” before “Security” each  
11                  place it appears.

12                  (2) *REFERENCES.*—Any reference in any Federal  
13                  law, Executive order, rule, regulation, or delegation of  
14                  authority, or any document of or relating to the  
15                  United States-China Security Review Commission  
16                  shall be deemed to refer to the United States-China  
17                  Economic and Security Review Commission.

18                  (c) *MEMBERSHIP, RESPONSIBILITIES, AND TERMS.*—

19                  (1) *IN GENERAL.*—Section 1238(b)(3) of the  
20                  Floyd D. Spence National Defense Authorization Act  
21                  of 2001 (22 U.S.C. 7002) is amended by striking sub-  
22                  paragraph (F) and inserting the following:

23                         “(F) each appointing authority referred to  
24                         under subparagraphs (A) through (D) of this  
25                         paragraph shall—

1           “(i) appoint 3 members to the Com-  
2           mission;

3           “(ii) make the appointments on a stag-  
4           gered term basis, such that—

5                   “(I) 1 appointment shall be for a  
6                   term expiring on December 31, 2003;

7                   “(II) 1 appointment shall be for a  
8                   term expiring on December 31, 2004;  
9                   and

10                   “(III) 1 appointment shall be for  
11                   a term expiring on December 31, 2005;

12           “(iii) make all subsequent appoint-  
13           ments on an approximate 2-year term basis  
14           to expire on December 31 of the applicable  
15           year; and

16           “(iv) make appointments not later  
17           than 30 days after the date on which each  
18           new Congress convenes;”.

19           (2) *RESPONSIBILITIES OF THE COMMISSION.*—  
20           *The United States-China Commission shall focus on*  
21           *the following nine areas when conducting its work*  
22           *during fiscal year 2003 and beyond:*

23                   (A) *PROLIFERATION PRACTICES.*—*The Com-*  
24                   *mission shall analyze and assess the Chinese role*  
25                   *in the proliferation of weapons of mass destruc-*

1            *tion and other weapons (including dual use tech-*  
2            *nologies) to terrorist-sponsoring states, and sug-*  
3            *gest possible steps which the United States might*  
4            *take, including economic sanctions, to encourage*  
5            *the Chinese to stop such practices.*

6            *(B) ECONOMIC REFORMS AND UNITED*  
7            *STATES ECONOMIC TRANSFERS.—The Commis-*  
8            *sion shall analyze and assess the qualitative and*  
9            *quantitative nature of the shift of United States*  
10           *production activities to China, including the re-*  
11           *location of high-technology, manufacturing, and*  
12           *R&D facilities; the impact of these transfers on*  
13           *United States national security, including polit-*  
14           *ical influence by the Chinese Government over*  
15           *American firms, dependence of the United States*  
16           *national security industrial base on Chinese im-*  
17           *ports, the adequacy of United States export con-*  
18           *trol laws, and the effect of these transfers on*  
19           *United States economic security, employment,*  
20           *and the standard of living of the American peo-*  
21           *ple; analyze China's national budget and assess*  
22           *China's fiscal strength to address internal insta-*  
23           *bility problems and assess the likelihood of exter-*  
24           *nalization of such problems.*



1           (C) *ENERGY.*—*The Commission shall evalu-*  
2           *ate and assess how China’s large and growing*  
3           *economy will impact upon world energy supplies*  
4           *and the role the United States can play, includ-*  
5           *ing joint R&D efforts and technological assist-*  
6           *ance, in influencing China’s energy policy.*

7           (D) *UNITED STATES CAPITAL MARKETS.*—  
8           *The Commission shall evaluate the extent of Chi-*  
9           *nese access to, and use of United States capital*  
10          *markets, and whether the existing disclosure and*  
11          *transparency rules are adequate to identify Chi-*  
12          *nese companies which are active in United*  
13          *States markets and are also engaged in pro-*  
14          *liferation activities.*

15          (E) *CORPORATE REPORTING.*—*The Com-*  
16          *mission shall assess United States trade and in-*  
17          *vestment relationship with China, including the*  
18          *need for corporate reporting on United States in-*  
19          *vestments in China and incentives that China*  
20          *may be offering to United States corporations to*  
21          *relocate production and R&D to China.*

22          (F) *REGIONAL ECONOMIC AND SECURITY IM-*  
23          *PACTS.*—*The Commission shall assess the extent*  
24          *of China’s “hollowing-out” of Asian manufac-*  
25          *turing economies, and the impact on United*

1           *States economic and security interests in the re-*  
2           *gion; review the triangular economic and secu-*  
3           *rity relationship among the United States, Tai-*  
4           *pei and Beijing, including Beijing's military*  
5           *modernization and force deployments aimed at*  
6           *Taipei, and the adequacy of United States execu-*  
7           *tive branch coordination and consultation with*  
8           *Congress on United States arms sales and de-*  
9           *fense relationship with Taipei.*

10           (G) *UNITED STATES-CHINA BILATERAL PRO-*  
11           *GRAMS.—The Commission shall assess science*  
12           *and technology programs to evaluate if the*  
13           *United States is developing an adequate coordi-*  
14           *nating mechanism with appropriate review by*  
15           *the intelligence community with Congress; assess*  
16           *the degree of non-compliance by China and*  
17           *United States-China agreements on prison labor*  
18           *imports and intellectual property rights; evalu-*  
19           *ate United States enforcement policies; and rec-*  
20           *ommend what new measures the United States*  
21           *Government might take to strengthen our laws*  
22           *and enforcement activities and to encourage com-*  
23           *pliance by the Chinese.*

24           (H) *WORLD TRADE ORGANIZATION COMPLI-*  
25           *ANCE.—The Commission shall review China's*

1           *record of compliance to date with its accession*  
2           *agreement to the WTO, and explore what incen-*  
3           *tives and policy initiatives should be pursued to*  
4           *promote further compliance by China.*

5           (I) *MEDIA CONTROL.*—*The Commission*  
6           *shall evaluate Chinese government efforts to in-*  
7           *fluence and control perceptions of the United*  
8           *States and its policies through the internet, the*  
9           *Chinese print and electronic media, and Chinese*  
10          *internal propaganda.*

11          (3) *EFFECTIVE DATE.*—*This subsection shall take*  
12          *effect on the date of enactment of this Act.*

13          *SEC. 210. JOHN C. STENNIS CENTER FOR PUBLIC*  
14          *SERVICE TRAINING AND DEVELOPMENT. There are appro-*  
15          *priated, out of any funds in the Treasury not otherwise ap-*  
16          *propriated, \$300,000, to remain available until expended,*  
17          *to the John C. Stennis Center for Public Service Training*  
18          *and Development.*

19          *SEC. 211. TITLE II OF THE CONGRESSIONAL AWARD*  
20          *ACT. There are appropriated, out of any funds in the Treas-*  
21          *ury not otherwise appropriated, \$250,000, to remain avail-*  
22          *able until expended, to carry out title II of the Congres-*  
23          *sional Award Act (2 U.S.C. 811 et seq.): Provided, That*  
24          *funds appropriated for this purpose do not exceed 100 per-*  
25          *cent of funds donated to the Board in cash or in kind under*

1 *section 208(c) of the Congressional Award Act: Provided*  
 2 *further, That such funds are used for staff salaries and over-*  
 3 *head, postage, travel, equipment, and accounting costs.*

4 *This division may be cited as the “Legislative Branch*  
 5 *Appropriations Act, 2003”.*

6 *DIVISION I—TRANSPORTATION AND RELATED*  
 7 *AGENCIES APPROPRIATIONS, 2003*

8 *Making appropriations for the Department of Transpor-*  
 9 *tation and related agencies for the fiscal year ending*  
 10 *September 30, 2003, and for other purposes.*

11 *That the following sums are appropriated, out of any*  
 12 *money in the Treasury not otherwise appropriated, for the*  
 13 *Department of Transportation and related agencies for the*  
 14 *fiscal year ending September 30, 2003, and for other pur-*  
 15 *poses, namely:*

16 *TITLE I*  
 17 *DEPARTMENT OF TRANSPORTATION*  
 18 *OFFICE OF THE SECRETARY*  
 19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the Office of the Secretary,*  
 21 *\$83,069,000, of which not to exceed \$2,201,000 shall be*  
 22 *available for the immediate Office of the Secretary; not to*  
 23 *exceed \$799,000 shall be available for the immediate Office*  
 24 *of the Deputy Secretary; not to exceed \$15,507,000 shall be*  
 25 *available for the Office of the General Counsel; not to exceed*

1 \$11,123,000 shall be for the Office of the Under Secretary  
2 for Transportation Policy; not to exceed \$8,375,000 shall  
3 be available for the Office of the Assistant Secretary for  
4 Budget and Programs; not to exceed \$2,282,000 shall be  
5 available for the Office of the Assistant Secretary for Gov-  
6 ernmental Affairs; not to exceed \$26,070,000 shall be avail-  
7 able for the Office of the Assistant Secretary for Administra-  
8 tion; not to exceed \$1,920,000 shall be available for the Of-  
9 fice of Public Affairs; not to exceed \$1,390,000 shall be  
10 available for the Office of the Executive Secretariat; not to  
11 exceed \$611,000 shall be available for the Board of Contract  
12 Appeals; not to exceed \$1,304,000 shall be available for the  
13 Office of Small and Disadvantaged Business Utilization;  
14 not to exceed \$11,487,000 shall be available for the Office  
15 of the Chief Information Officer: Provided, That not to ex-  
16 ceed \$60,000 shall be for allocation within the Department  
17 for official reception and representation expenses as the Sec-  
18 retary may determine: Provided further, That notwith-  
19 standing any other provision of law, excluding fees author-  
20 ized in Public Law 107-71, there may be credited to this  
21 appropriation up to \$2,500,000 in funds received in user  
22 fees.

#### 23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,  
25 \$8,700,000.



1        *MINORITY BUSINESS RESOURCE CENTER PROGRAM*

2        *For the cost of guaranteed loans, \$500,000, as author-*  
3 *ized by 49 U.S.C. 332: Provided, That such costs, including*  
4 *the cost of modifying such loans, shall be as defined in sec-*  
5 *tion 502 of the Congressional Budget Act of 1974: Provided*  
6 *further, That these funds are available to subsidize total*  
7 *loan principal, any part of which is to be guaranteed, not*  
8 *to exceed \$18,367,000. In addition, for administrative ex-*  
9 *penses to carry out the guaranteed loan program, \$400,000.*

10                    *MINORITY BUSINESS OUTREACH*

11        *For necessary expenses of Minority Business Resource*  
12 *Center outreach activities, \$3,000,000, to remain available*  
13 *until September 30, 2004: Provided, That notwithstanding*  
14 *49 U.S.C. 332, these funds may be used for business oppor-*  
15 *tunities related to any mode of transportation.*

16                    *PAYMENTS TO AIR CARRIERS*

17                    *(AIRPORT AND AIRWAY TRUST FUND)*

18        *In addition to funds made available from any other*  
19 *source to carry out the essential air service program under*  
20 *49 U.S.C. 41731 through 41742, to be derived from the Air-*  
21 *port and Airway Trust Fund, \$65,000,000, to remain*  
22 *available until expended.*

1    *TRANSPORTATION SECURITY ADMINISTRATION*2                               *SALARIES AND EXPENSES*

3           *For necessary expenses of the Transportation Security*  
4 *Administration related to transportation security services*  
5 *pursuant to Public Law 107–71, \$5,346,000,000 of which*  
6 *\$55,000,000 shall be derived from a reimbursement from the*  
7 *heading, “Facilities and Equipment”, Federal Aviation Ad-*  
8 *ministration for explosives detection systems in this fiscal*  
9 *year, to remain available until September 30, 2004: Pro-*  
10 *vided, That, security service fees authorized under 49*  
11 *U.S.C. 44940 shall be credited to this appropriation as off-*  
12 *setting collections and used for providing security services*  
13 *authorized by that section: Provided further, That the sum*  
14 *herein appropriated from the General Fund shall be reduced*  
15 *on a dollar-for-dollar basis as such offsetting collections are*  
16 *received during fiscal year 2003: Provided further, That*  
17 *any security service fees collected in excess of the amount*  
18 *appropriated under this heading shall be treated as offset-*  
19 *ting collections in 2004: Provided further, That, of such*  
20 *amounts provided herein \$150,000,000 shall be available for*  
21 *the Secretary of Homeland Security pursuant to the terms*  
22 *and conditions of section 70107(i) of Public Law 107–295*  
23 *to award grants to national laboratories, private nonprofit*  
24 *organizations, institutions of higher education, and other*  
25 *entities for the support of research and development of tech-*



1 *nologies that can be used to secure the ports of the United*  
2 *States.*

3 **COAST GUARD**

4 **OPERATING EXPENSES**

5 *For necessary expenses for the operation and mainte-*  
6 *nance of the Coast Guard, not otherwise provided for; pur-*  
7 *chase of not to exceed five passenger motor vehicles for re-*  
8 *placement only; payments pursuant to section 156 of Public*  
9 *Law 97-377, as amended (42 U.S.C. 402 note), and section*  
10 *229(b) of the Social Security Act (42 U.S.C. 429(b)); and*  
11 *recreation and welfare, \$4,318,456,000, of which*  
12 *\$340,000,000 shall be available for defense-related activities;*  
13 *and of which \$25,000,000 shall be derived from the Oil Spill*  
14 *Liability Trust Fund: Provided, That none of the funds ap-*  
15 *propriated in this or any other Act shall be available for*  
16 *pay of administrative expenses in connection with shipping*  
17 *commissioners in the United States: Provided further, That*  
18 *none of the funds provided in this Act shall be available*  
19 *to compensate in excess of 37 active duty flag officer billets:*  
20 *Provided further, That none of the funds provided in this*  
21 *Act shall be available for expenses incurred for yacht docu-*  
22 *mentation under 46 U.S.C. 12109, except to the extent fees*  
23 *are collected from yacht owners and credited to this appro-*  
24 *riation.*

1        *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

2        *For necessary expenses of acquisition, construction,*  
3 *renovation, and improvement of aids to navigation, shore*  
4 *facilities, vessels, and aircraft, including equipment related*  
5 *thereto, \$752,000,000, of which \$20,000,000 shall be derived*  
6 *from the Oil Spill Liability Trust Fund; of which*  
7 *\$25,600,000 shall be available to acquire, repair, renovate*  
8 *or improve vessels, small boats and related equipment, to*  
9 *remain available until September 30, 2007; \$132,700,000*  
10 *shall be available for other equipment, to remain available*  
11 *until September 30, 2005; \$48,700,000 shall be available*  
12 *for shore facilities and aids to navigation facilities, to re-*  
13 *main available until September 30, 2005; \$65,000,000 shall*  
14 *be available for personnel compensation and benefits and*  
15 *related costs, to remain available until September 30, 2003;*  
16 *and \$480,000,000 shall be available for the Integrated Deep-*  
17 *water Systems program, to remain available until Sep-*  
18 *tember 30, 2006: Provided, That the Commandant of the*  
19 *Coast Guard is authorized to dispose of surplus real prop-*  
20 *erty, by sale or lease, and the proceeds shall be credited to*  
21 *this appropriation as offsetting collections and made avail-*  
22 *able only for the National Distress and Response System*  
23 *Modernization program, to remain available for obligation*  
24 *until September 30, 2004: Provided further, That none of*  
25 *the funds provided under this heading may be obligated or*

1 expended for the Integrated Deepwater Systems (IDS) sys-  
2 tem integration contract in fiscal year 2004 until the Sec-  
3 retary or Deputy Secretary of Transportation and the Di-  
4 rector, Office of Management and Budget jointly certify to  
5 the House and Senate Committees on Appropriations that  
6 funding for the IDS program for fiscal years 2004 through  
7 2008, funding for the National Distress and Response Sys-  
8 tem Modernization program to allow for full deployment  
9 of said system by 2006, and funding for other essential  
10 search and rescue procurements, are fully funded in the  
11 Coast Guard Capital Investment Plan and within the Office  
12 of Management and Budget's budgetary projections for the  
13 Coast Guard for those years: Provided further, That upon  
14 initial submission to the Congress of the fiscal year 2004  
15 President's budget, the Secretary of Transportation shall  
16 transmit to the Congress a comprehensive capital invest-  
17 ment plan for the United States Coast Guard which in-  
18 cludes funding for each budget line item for fiscal years  
19 2004 through 2008, with total funding for each year of the  
20 plan constrained to the funding targets for those years as  
21 estimated and approved by the Office of Management and  
22 Budget: Provided further, That the amount herein appro-  
23 priated shall be reduced by \$150,000 per day for each day  
24 after initial submission of the President's budget that the  
25 plan has not been submitted to the Congress.

1        *ENVIRONMENTAL COMPLIANCE AND RESTORATION*

2        *For necessary expenses to carry out the Coast Guard's*  
3 *environmental compliance and restoration functions under*  
4 *chapter 19 of title 14, United States Code, \$17,000,000, to*  
5 *remain available until expended.*

6                                *ALTERATION OF BRIDGES*

7        *For necessary expenses for alteration or removal of ob-*  
8 *structive bridges, \$14,000,000, to remain available until ex-*  
9 *pended.*

10                                *RETIRED PAY*

11        *For retired pay, including the payment of obligations*  
12 *therefor otherwise chargeable to lapsed appropriations for*  
13 *this purpose, payments under the Retired Serviceman's*  
14 *Family Protection and Survivor Benefits Plans, payment*  
15 *for career status bonuses under the National Defense Au-*  
16 *thorization Act, and for payments for medical care of re-*  
17 *tired personnel and their dependents under the Dependents*  
18 *Medical Care Act (10 U.S.C. ch. 55), \$889,000,000.*

19                                *RESERVE TRAINING*

20        *For all necessary expenses of the Coast Guard Reserve,*  
21 *as authorized by law; maintenance and operation of facili-*  
22 *ties; and supplies, equipment, and services, \$86,522,000.*

23        *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*

24        *For necessary expenses, not otherwise provided for, for*  
25 *applied scientific research, development, test, and evalua-*

1 *tion; maintenance, rehabilitation, lease and operation of fa-*  
2 *cilities and equipment, as authorized by law, \$22,000,000,*  
3 *to remain available until expended, of which \$3,500,000*  
4 *shall be derived from the Oil Spill Liability Trust Fund:*  
5 *Provided, That there may be credited to and used for the*  
6 *purposes of this appropriation funds received from State*  
7 *and local governments, other public authorities, private*  
8 *sources, and foreign countries, for expenses incurred for re-*  
9 *search, development, testing, and evaluation.*

10 *FEDERAL AVIATION ADMINISTRATION*

11 *OPERATIONS*

12 *For necessary expenses of the Federal Aviation Admin-*  
13 *istration, not otherwise provided for, including operations*  
14 *and research activities related to commercial space trans-*  
15 *portation, administrative expenses for research and develop-*  
16 *ment, establishment of air navigation facilities, the oper-*  
17 *ation (including leasing) and maintenance of aircraft, sub-*  
18 *sidizing the cost of aeronautical charts and maps sold to*  
19 *the public, lease or purchase of passenger motor vehicles for*  
20 *replacement only, in addition to amounts made available*  
21 *by Public Law 104-264, \$7,047,203,000, of which*  
22 *\$3,799,278,000 shall be derived from the Airport and Air-*  
23 *way Trust Fund, of which not to exceed \$5,662,037,000*  
24 *shall be available for air traffic services program activities;*  
25 *not to exceed \$839,467,000 shall be available for aviation*

1 *regulation and certification program activities; not to ex-*  
2 *ceed \$207,600,000 shall be available for research and acqui-*  
3 *sition program activities; not to exceed \$12,325,000 shall*  
4 *be available for commercial space transportation program*  
5 *activities; not to exceed \$48,782,000 shall be available for*  
6 *financial services program activities; not to exceed*  
7 *\$80,260,000 shall be available for human resources program*  
8 *activities; not to exceed \$82,192,000 shall be available for*  
9 *regional coordination program activities; not to exceed*  
10 *\$84,890,000 shall be available for staff offices; and not to*  
11 *exceed \$29,650,000 shall be available for information serv-*  
12 *ices: Provided, That none of the funds in this Act shall be*  
13 *available for the Federal Aviation Administration to final-*  
14 *ize or implement any regulation that would promulgate*  
15 *new aviation user fees not specifically authorized by law*  
16 *after the date of the enactment of this Act: Provided further,*  
17 *That there may be credited to this appropriation funds re-*  
18 *ceived from States, counties, municipalities, foreign au-*  
19 *thorities, other public authorities, and private sources, for*  
20 *expenses incurred in the provision of agency services, in-*  
21 *cluding receipts for the maintenance and operation of air*  
22 *navigation facilities, and for issuance, renewal or modifica-*  
23 *tion of certificates, including airman, aircraft, and repair*  
24 *station certificates, or for tests related thereto, or for proc-*  
25 *essing major repair or alteration forms: Provided further,*

1 *That of the funds appropriated under this heading, not less*  
2 *than \$6,000,000 shall be for the contract tower cost-sharing*  
3 *program: Provided further, That funds may be used to enter*  
4 *into a grant agreement with a nonprofit standard-setting*  
5 *organization to assist in the development of aviation safety*  
6 *standards: Provided further, That none of the funds in this*  
7 *Act shall be available for new applicants for the second ca-*  
8 *reer training program: Provided further, That none of the*  
9 *funds in this Act shall be available for paying premium*  
10 *pay under 5 U.S.C. 5546(a) to any Federal Aviation Ad-*  
11 *ministration employee unless such employee actually per-*  
12 *formed work during the time corresponding to such pre-*  
13 *mium pay: Provided further, That none of the funds in this*  
14 *Act may be obligated or expended to operate a manned aux-*  
15 *iliary flight service station in the contiguous United States.*

16 *FACILITIES AND EQUIPMENT*

17 *(AIRPORT AND AIRWAY TRUST FUND)*

18 *For necessary expenses, not otherwise provided for, for*  
19 *acquisition, establishment, and improvement by contract or*  
20 *purchase, and hire of air navigation and experimental fa-*  
21 *cilities and equipment as authorized under part A of sub-*  
22 *title VII of title 49, United States Code, including initial*  
23 *acquisition of necessary sites by lease or grant; engineering*  
24 *and service testing, including construction of test facilities*  
25 *and acquisition of necessary sites by lease or grant; con-*

1 *struction and furnishing of quarters and related accom-*  
2 *modations for officers and employees of the Federal Avia-*  
3 *tion Administration stationed at remote localities where*  
4 *such accommodations are not available; and the purchase,*  
5 *lease, or transfer of aircraft from funds available under this*  
6 *heading; to be derived from the Airport and Airway Trust*  
7 *Fund, \$2,981,022,000, of which \$2,558,455,000 shall re-*  
8 *main available until September 30, 2005, and of which*  
9 *\$422,567,000 shall remain available until September 30,*  
10 *2003: Provided, That there may be credited to this appro-*  
11 *priation funds received from States, counties, municipali-*  
12 *ties, other public authorities, and private sources, for ex-*  
13 *penses incurred in the establishment and modernization of*  
14 *air navigation facilities: Provided further, That upon ini-*  
15 *tial submission to the Congress of the fiscal year 2004 Presi-*  
16 *dent's budget, the Secretary of Transportation shall trans-*  
17 *mit to the Congress a comprehensive capital investment*  
18 *plan for the Federal Aviation Administration which in-*  
19 *cludes funding for each budget line item for fiscal years*  
20 *2004 through 2008, with total funding for each year of the*  
21 *plan constrained to the funding targets for those years as*  
22 *estimated and approved by the Office of Management and*  
23 *Budget: Provided further, That the amount herein appro-*  
24 *priated shall be reduced by \$150,000 per day for each day*



1 *after initial submission of the President's budget that the*  
 2 *plan has not been submitted to the Congress.*

3 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

4 *(AIRPORT AND AIRWAY TRUST FUND)*

5 *For necessary expenses, not otherwise provided for, for*  
 6 *research, engineering, and development, as authorized*  
 7 *under part A of subtitle VII of title 49, United States Code,*  
 8 *including construction of experimental facilities and acqui-*  
 9 *sition of necessary sites by lease or grant, \$124,000,000, to*  
 10 *be derived from the Airport and Airway Trust Fund and*  
 11 *to remain available until September 30, 2005: Provided,*  
 12 *That there may be credited to this appropriation funds re-*  
 13 *ceived from States, counties, municipalities, other public*  
 14 *authorities, and private sources, for expenses incurred for*  
 15 *research, engineering, and development.*

16 *GRANTS-IN-AID FOR AIRPORTS*

17 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

18 *(LIMITATION ON OBLIGATIONS)*

19 *(AIRPORT AND AIRWAY TRUST FUND)*

20 *For liquidation of obligations incurred for grants-in-*  
 21 *aid for airport planning and development, and noise com-*  
 22 *patibility planning and programs as authorized under sub-*  
 23 *chapter I of chapter 471 and subchapter I of chapter 475*  
 24 *of title 49, United States Code, and under other law author-*  
 25 *izing such obligations; for procurement, installation, and*  
 26 *commissioning of runway incursion prevention devices and*

1 *systems at airports of such title; for implementation of sec-*  
2 *tion 203 of Public Law 106–181; and for inspection activi-*  
3 *ties and administration of airport safety programs, includ-*  
4 *ing those related to airport operating certificates under sec-*  
5 *tion 44706 of title 49, United States Code, \$3,100,000,000,*  
6 *to be derived from the Airport and Airway Trust Fund and*  
7 *to remain available until expended: Provided, That none*  
8 *of the funds under this heading shall be available for the*  
9 *planning or execution of programs the obligations for which*  
10 *are in excess of \$3,400,000,000 in fiscal year 2003, notwith-*  
11 *standing section 47117(g) of title 49, United States Code:*  
12 *Provided further, That notwithstanding any other provision*  
13 *of law, not more than \$81,049,000 of funds limited under*  
14 *this heading shall be obligated for administration and for*  
15 *technology research and not less than \$20,000,000 shall be*  
16 *for the Small Community Air Service Development Pilot*  
17 *Program.*

18 *AVIATION INSURANCE REVOLVING FUND*

19 *The Secretary of Transportation is hereby authorized*  
20 *to make such expenditures and investments, within the lim-*  
21 *its of funds available pursuant to 49 U.S.C. 44307, and*  
22 *in accordance with section 104 of the Government Corpora-*  
23 *tion Control Act, as amended (31 U.S.C. 9104), as may*  
24 *be necessary in carrying out the program for aviation in-*

1 *urance activities under chapter 443 of title 49, United*  
2 *States Code.*

3 *FEDERAL HIGHWAY ADMINISTRATION*

4 *LIMITATION ON ADMINISTRATIVE EXPENSES*

5 *Necessary expenses for administration and operation*  
6 *of the Federal Highway Administration, not to exceed*  
7 *\$317,732,000, shall be paid in accordance with law from*  
8 *appropriations made available by this Act to the Federal*  
9 *Highway Administration together with advances and reim-*  
10 *bursments received by the Federal Highway Administra-*  
11 *tion: Provided, That of the funds available under section*  
12 *104(a)(1)(A) of title 23, United States Code: \$7,500,000*  
13 *shall be available for “Child Passenger Protection Edu-*  
14 *cation Grants” under section 2003(b) of Public Law 105–*  
15 *178, as amended; \$47,000,000 shall be available for con-*  
16 *struction of state border safety inspection facilities at the*  
17 *United States/Mexico border, and shall remain available*  
18 *until expended; \$59,967,000 shall be available for border en-*  
19 *forcement activities required by section 350 of Public Law*  
20 *107–87, and shall remain available until expended;*  
21 *\$69,000,000 shall be available, in addition to funds made*  
22 *available by section 330 of this Act, to enable the Secretary*  
23 *to make grants for surface transportation projects, and shall*  
24 *remain available until expended; and \$6,000,000 shall be*  
25 *available for environmental streamlining activities, which*

1 *may include making grants to, or entering into contracts,*  
 2 *cooperative agreements, and other transactions, with a Fed-*  
 3 *eral agency, State agency, local agency, authority, associa-*  
 4 *tion, nonprofit or for-profit corporation, or institution of*  
 5 *higher education.*

6 *FEDERAL-AID HIGHWAYS*

7 *(LIMITATION ON OBLIGATIONS)*

8 *(HIGHWAY TRUST FUND)*

9 *None of the funds in this Act shall be available for*  
 10 *the implementation or execution of programs, the obliga-*  
 11 *tions for which are in excess of \$31,800,000,000 for Federal-*  
 12 *aid highways and highway safety construction programs for*  
 13 *fiscal year 2003: Provided, That within the \$232,000,000*  
 14 *obligation limitation on Intelligent Transportation Sys-*  
 15 *tems, the following sums shall be made available for Intel-*  
 16 *ligent Transportation System projects that are designed to*  
 17 *achieve the goals and purposes set forth in section 5203 of*  
 18 *the Intelligent Transportation Systems Act of 1998 (subtitle*  
 19 *C of title V of Public Law 105–178; 112 Stat. 453; 23*  
 20 *U.S.C. 502 note) in the following specified areas:*

21 *Advance Traveler Info. System & Smart Card*  
 22 *System, OH, \$2,500,000;*

23 *Alaska Statewide: Smart Emergency Medical Ac-*  
 24 *cess System, \$3,000,000;*

25 *Boston Traffic Monitoring & Security System,*  
 26 *MA, \$2,000,000;*

- 1           *Bozeman Pass Wildlife Channelization Study,*  
2           *MT, \$500,000;*
- 3           *Cargo Mate Logistics and Intermodal Manage-*  
4           *ment System, NY, \$2,000,000;*
- 5           *Cary, Computerized Traffic Signal System, NC,*  
6           *\$1,000,000;*
- 7           *CCTA Burlington Multimodal Transit Center,*  
8           *VT, \$1,000,000;*
- 9           *Center for Injury Sciences at UAB, Crash Notifi-*  
10          *cation, AL, \$2,000,000;*
- 11          *Central Florida Regional Trans. Authority, Or-*  
12          *ange/Seminole ITS, FL, \$2,000,000;*
- 13          *Chattanooga (CARTA) ITS, TN, \$1,500,000;*
- 14          *Sierra Madre Intermodal Trans. Center, Los An-*  
15          *geles, CA, \$2,500,000;*
- 16          *CVISN, NM, \$1,125,000;*
- 17          *Flint Mass Transportation Authority ITS pro-*  
18          *gram, MI, \$1,000,000;*
- 19          *Intelligent Transportation Center, Atlanta, GA,*  
20          *\$500,000;*
- 21          *GMU, ITS Research, VA, \$2,000,000;*
- 22          *Great Lakes ITS program, MI, \$3,000,000;*
- 23          *Harrison County Sheriff's Department, ITS,*  
24          *MS, \$1,000,000;*
- 25          *Hoosier SAFE-T, IN, \$2,000,000;*

- 1           *Huntsville, AL, \$2,000,000;*
- 2           *I-80 Dynamic Message Signs, Southern WY,*
- 3           *\$4,000,000;*
- 4           *Idaho Statewide CVISN, \$2,250,000;*
- 5           *Illinois Statewide, \$4,500,000;*
- 6           *Iowa Statewide ITS, \$1,400,000;*
- 7           *Kansas City Scout, Advanced Traffic Manage-*
- 8           *ment System, KS, \$1,500,000;*
- 9           *Kansas City SmartPort, \$1,000,000;*
- 10           *Kent, Intracity Transit Project, WA, \$1,500,000;*
- 11           *Lynnwood ITS, WA, \$2,000,000;*
- 12           *Maine Statewide, Rural Advanced Traveler Info.*
- 13           *System, ME, \$2,000,000;*
- 14           *Maryland Statewide ITS, \$2,000,000;*
- 15           *Missouri Statewide Rural ITS, MO, \$2,000,000;*
- 16           *NDSU Advanced Traffic Analysis Center, ND,*
- 17           *\$1,000,000;*
- 18           *Nebraska statewide ITS, \$5,000,000;*
- 19           *New Bedford ITS Port Information Center, MA,*
- 20           *\$1,000,000;*
- 21           *Oklahoma Statewide ITS, \$7,000,000;*
- 22           *Pennsylvania Turnpike Commission, PA,*
- 23           *\$5,000,000;*
- 24           *Program of Projects, WA, \$5,500,000;*

- 1           *Providence Transportation Information Center,*  
2           *ITS, RI, \$2,000,000;*
- 3           *Sacramento Area Council of Governments, ITS,*  
4           *CA, \$1,000,000;*
- 5           *Shreveport ITS Project, LA, \$1,000,000;*
- 6           *SCDOT Statewide ITS, \$5,000,000;*
- 7           *SR-68/Riverside Dr. ITS, Espanola, NM,*  
8           *\$475,000;*
- 9           *Surface Transportation Institute, Univ. of North*  
10          *Dakota, ND, \$1,500,000;*
- 11          *T-REX Southeast Corridor Multi-Modal Project,*  
12          *CO, \$9,000,000;*
- 13          *Tucson ER-LINK ITS project, AZ, \$1,250,000;*
- 14          *Univ. of Nebraska Lincoln, SMART Transpor-*  
15          *tation, NE, \$2,000,000;*
- 16          *University of Kentucky Transportation Center,*  
17          *KY, \$2,000,000;*
- 18          *Utah Commuter Link, Davis and Utah Counties,*  
19          *UT, \$1,000,000;*
- 20          *Vermont Statewide Rural Advanced Traveler*  
21          *System, VT, \$1,500,000;*
- 22          *Vermont Variable Message Signs, VT,*  
23          *\$1,000,000;*
- 24          *Washington, DC Metro ITS, \$4,000,000;*
- 25          *Northern Virginia ITS, VA, \$4,000,000; and*

1            *Wisconsin State Patrol Mobile Data Commu-*  
 2            *nications Network, \$2,000,000.*

3                            *FEDERAL-AID HIGHWAYS*

4                            *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

5                            *(HIGHWAY TRUST FUND)*

6            *Notwithstanding any other provision of law, for car-*  
 7            *rying out the provisions of title 23, United States Code,*  
 8            *that are attributable to Federal-aid highways, including the*  
 9            *National Scenic and Recreational Highway as authorized*  
 10           *by 23 U.S.C. 148, not otherwise provided, including reim-*  
 11           *bursement for sums expended pursuant to the provisions of*  
 12           *23 U.S.C. 308, \$32,000,000,000 or so much thereof as may*  
 13           *be available in and derived from the Highway Trust Fund,*  
 14           *to remain available until expended.*

15                          *APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM*

16            *For necessary expenses for the Appalachian Develop-*  
 17            *ment Highway System as authorized under section 1069(y)*  
 18            *of Public Law 102-240, as amended, \$200,000,000, to re-*  
 19            *main available until expended.*

20                          *FEDERAL MOTOR CARRIER SAFETY*

21                            *ADMINISTRATION*

22                            *MOTOR CARRIER SAFETY*

23                          *LIMITATION ON ADMINISTRATIVE EXPENSES*

24            *For necessary expenses for administration of motor*  
 25            *carrier safety programs and motor carrier safety research,*  
 26            *pursuant to section 104(a)(1)(B) of title 23, United States*



1 Code, not to exceed \$117,464,000 shall be paid in accord-  
2 ance with law from appropriations made available by this  
3 Act and from any available take-down balances to the Fed-  
4 eral Motor Carrier Safety Administration, together with  
5 advances and reimbursements received by the Federal Motor  
6 Carrier Safety Administration: Provided, That such  
7 amounts shall be available to carry out the functions and  
8 operations of the Federal Motor Carrier Safety Administra-  
9 tion.

10 NATIONAL MOTOR CARRIER SAFETY PROGRAM

11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (LIMITATION ON OBLIGATIONS)

13 (HIGHWAY TRUST FUND)

14 Notwithstanding any other provision of law, for pay-  
15 ment of obligations incurred in carrying out 49 U.S.C.  
16 31102, 31106 and 31309, \$190,000,000, to be derived from  
17 the Highway Trust Fund and to remain available until ex-  
18 pended: Provided, That none of the funds in this Act shall  
19 be available for the implementation or execution of pro-  
20 grams the obligations for which are in excess of  
21 \$190,000,000 for "Motor Carrier Safety Grants", and "In-  
22 formation Systems".

1            *NATIONAL HIGHWAY TRAFFIC SAFETY*2                            *ADMINISTRATION*3                                    *OPERATIONS AND RESEARCH*

4            *For expenses necessary to discharge the functions of the*  
5 *Secretary, with respect to traffic and highway safety under*  
6 *chapter 301 of title 49, United States Code, and part C*  
7 *of subtitle VI of title 49, United States Code, \$141,000,000,*  
8 *of which \$98,161,131 shall remain available until Sep-*  
9 *tember 30, 2005: Provided, That none of the funds appro-*  
10 *priated by this Act may be obligated or expended to plan,*  
11 *finalize, or implement any rulemaking to add to section*  
12 *575.104 of title 49 of the Code of Federal Regulations any*  
13 *requirement pertaining to a grading standard that is dif-*  
14 *ferent from the three grading standards (treadwear, trac-*  
15 *tion, and temperature resistance) already in effect.*

16                                    *OPERATIONS AND RESEARCH*17                                    *(LIQUIDATION OF CONTRACT AUTHORIZATION)*18                                    *(LIMITATION ON OBLIGATIONS)*19                                    *(HIGHWAY TRUST FUND)*

20            *For payment of obligations incurred in carrying out*  
21 *the provisions of 23 U.S.C. 403, to remain available until*  
22 *expended, \$72,000,000, to be derived from the Highway*  
23 *Trust Fund: Provided, That none of the funds in this Act*  
24 *shall be available for the planning or execution of programs*  
25 *the total obligations for which, in fiscal year 2003, are in*

1 *excess of \$72,000,000 for programs authorized under 23*  
2 *U.S.C. 403.*

3 *NATIONAL DRIVER REGISTER*

4 *(HIGHWAY TRUST FUND)*

5 *For expenses necessary to discharge the functions of the*  
6 *Secretary with respect to the National Driver Register*  
7 *under chapter 303 of title 49, United States Code,*  
8 *\$2,000,000, to be derived from the Highway Trust Fund,*  
9 *and to remain available until expended.*

10 *HIGHWAY TRAFFIC SAFETY GRANTS*

11 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

12 *(LIMITATION ON OBLIGATIONS)*

13 *(HIGHWAY TRUST FUND)*

14 *Notwithstanding any other provision of law, for pay-*  
15 *ment of obligations incurred in carrying out the provisions*  
16 *of 23 U.S.C. 402, 405, and 410, to remain available until*  
17 *expended, \$225,000,000, to be derived from the Highway*  
18 *Trust Fund: Provided, That none of the funds in this Act*  
19 *shall be available for the planning or execution of programs*  
20 *the total obligations for which, in fiscal year 2003, are in*  
21 *excess of \$225,000,000 for programs authorized under 23*  
22 *U.S.C. 402, 405, and 410, of which \$165,000,000 shall be*  
23 *for “Highway Safety Programs” under 23 U.S.C. 402,*  
24 *\$20,000,000 shall be for “Occupant Protection Incentive*  
25 *Grants” under 23 U.S.C. 405, and \$40,000,000 shall be for*  
26 *“Alcohol-Impaired Driving Countermeasures Grants”*

1 *under 23 U.S.C. 410: Provided further, That none of these*  
2 *funds shall be used for construction, rehabilitation, or re-*  
3 *modeling costs, or for office furnishings and fixtures for*  
4 *State, local, or private buildings or structures: Provided*  
5 *further, That not to exceed \$8,150,000 of the funds made*  
6 *available for section 402, not to exceed \$1,000,000 of the*  
7 *funds made available for section 405, and not to exceed*  
8 *\$2,000,000 of the funds made available for section 410 shall*  
9 *be available to NHTSA for administering highway safety*  
10 *grants under chapter 4 of title 23, United States Code: Pro-*  
11 *vided further, That not to exceed \$500,000 of the funds*  
12 *made available for section 410 “Alcohol-Impaired Driving*  
13 *Countermeasures Grants” shall be available for technical*  
14 *assistance to the States.*

15 *FEDERAL RAILROAD ADMINISTRATION*

16 *SAFETY AND OPERATIONS*

17 *For necessary expenses of the Federal Railroad Admin-*  
18 *istration, not otherwise provided for, \$118,264,000, of which*  
19 *\$6,636,000 shall remain available until expended.*

20 *RAILROAD RESEARCH AND DEVELOPMENT*

21 *For necessary expenses for railroad research and devel-*  
22 *opment, \$29,325,000, to remain available until expended.*

23 *RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM*

24 *The Secretary of Transportation is authorized to issue*  
25 *to the Secretary of the Treasury notes or other obligations*

1 *pursuant to section 512 of the Railroad Revitalization and*  
2 *Regulatory Reform Act of 1976 (Public Law 94–210), as*  
3 *amended, in such amounts and at such times as may be*  
4 *necessary to pay any amounts required pursuant to the*  
5 *guarantee of the principal amount of obligations under sec-*  
6 *tions 511 through 513 of such Act, such authority to exist*  
7 *as long as any such guaranteed obligation is outstanding:*  
8 *Provided, That pursuant to section 502 of such Act, as*  
9 *amended, no new direct loans or loan guarantee commit-*  
10 *ments shall be made using Federal funds for the credit risk*  
11 *premium during fiscal year 2003.*

12 *NEXT GENERATION HIGH-SPEED RAIL*

13 *For necessary expenses for the Next Generation High-*  
14 *Speed Rail program as authorized under 49 U.S.C. 26101*  
15 *and 26102, \$30,000,000, to remain available until ex-*  
16 *pended.*

17 *ALASKA RAILROAD REHABILITATION*

18 *To enable the Secretary of Transportation to make*  
19 *grants to the Alaska Railroad, \$25,000,000 shall be for cap-*  
20 *ital rehabilitation and improvements benefiting its pas-*  
21 *senger operations, to remain available until expended.*

22 *GRANTS TO THE NATIONAL RAILROAD PASSENGER*  
23 *CORPORATION*

24 *For necessary expenses of operating costs and capital*  
25 *improvements of the National Railroad Passenger Corpora-*

1 *tion as authorized by 49 U.S.C. 24104(a), \$1,200,000,000,*  
2 *to remain available until expended, of which \$550,000,000*  
3 *shall be for operating expenses, \$369,000,000 shall be for*  
4 *capital expenses along the Northeast Corridor Mainline,*  
5 *and \$281,000,000 shall be for capital expenses along the*  
6 *remainder of the Corporation's national rail network.*

7 *FEDERAL TRANSIT ADMINISTRATION*

8 *ADMINISTRATIVE EXPENSES*

9 *For necessary administrative expenses of the Federal*  
10 *Transit Administration's programs authorized by chapter*  
11 *53 of title 49, United States Code, \$14,600,000: Provided,*  
12 *That no more than \$73,000,000 of budget authority shall*  
13 *be available for these purposes: Provided further, That of*  
14 *the funds in this Act available for the execution of contracts*  
15 *under section 5327(c) of title 49, United States Code,*  
16 *\$2,000,000 shall be reimbursed to the Department of Trans-*  
17 *portation's Office of Inspector General for costs associated*  
18 *with audits and investigations of transit-related issues, in-*  
19 *cluding reviews of new fixed guideway systems: Provided*  
20 *further, That not to exceed \$2,600,000 for the National*  
21 *transit database shall remain available until expended.*

22 *FORMULA GRANTS*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For necessary expenses to carry out 49 U.S.C. 5307,*  
25 *5308, 5310, 5311, 5327, and section 3038 of Public Law*

1 105–178, \$767,800,000, to remain available until expended:  
2 Provided, That no more than \$3,839,000,000 of budget au-  
3 thority shall be available for these purposes: Provided fur-  
4 ther, That notwithstanding section 3008 of Public Law  
5 105–178 and 49 U.S.C. 5309(m)(3)(C), \$50,000,000 of the  
6 funds to carry out 49 U.S.C. 5308 shall be transferred to  
7 and merged with funding provided for the replacement, re-  
8 habilitation, and purchase of buses and related equipment  
9 and the construction of bus-related facilities under “Federal  
10 Transit Administration, Capital investment grants”.

11 *UNIVERSITY TRANSPORTATION RESEARCH*

12 *For necessary expenses to carry out 49 U.S.C. 5505,*  
13 *\$1,200,000, to remain available until expended: Provided,*  
14 *That no more than \$6,000,000 of budget authority shall be*  
15 *available for these purposes.*

16 *TRANSIT PLANNING AND RESEARCH*

17 *For necessary expenses to carry out 49 U.S.C. 5303,*  
18 *5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and*  
19 *5322, \$24,200,000, to remain available until expended: Pro-*  
20 *vided, That no more than \$122,000,000 of budget authority*  
21 *shall be available for these purposes: Provided further, That*  
22 *\$5,250,000 is available to provide rural transportation as-*  
23 *sistance (49 U.S.C. 5311(b)(2)), \$4,000,000 is available to*  
24 *carry out programs under the National Transit Institute*  
25 *(49 U.S.C. 5315), \$8,250,000 is available to carry out tran-*

1 *sit cooperative research programs (49 U.S.C. 5313(a)),*  
 2 *\$60,385,600 is available for metropolitan planning (49*  
 3 *U.S.C. 5303, 5304, and 5305), \$12,614,400 is available for*  
 4 *State planning (49 U.S.C. 5313(b)); and \$31,500,000 is*  
 5 *available for the national planning and research program*  
 6 *(49 U.S.C. 5314).*

7 *TRUST FUND SHARE OF EXPENSES*

8 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

9 *(HIGHWAY TRUST FUND)*

10 *Notwithstanding any other provision of law, for pay-*  
 11 *ment of obligations incurred in carrying out 49 U.S.C.*  
 12 *5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505,*  
 13 *and sections 3037 and 3038 of Public Law 105–178,*  
 14 *\$5,781,000,000, to remain available until expended, and to*  
 15 *be derived from the Mass Transit Account of the Highway*  
 16 *Trust Fund: Provided, That \$3,071,200,000 shall be paid*  
 17 *to the Federal Transit Administration’s formula grants ac-*  
 18 *count: Provided further, That \$97,800,000 shall be paid to*  
 19 *the Federal Transit Administration’s transit planning and*  
 20 *research account: Provided further, That \$58,400,000 shall*  
 21 *be paid to the Federal Transit Administration’s adminis-*  
 22 *trative expenses account: Provided further, That \$4,800,000*  
 23 *shall be paid to the Federal Transit Administration’s uni-*  
 24 *versity transportation research account: Provided further,*  
 25 *That \$120,000,000 shall be paid to the Federal Transit Ad-*  
 26 *ministration’s job access and reverse commute grants pro-*



1 *gram: Provided further, That \$2,428,800,000 shall be paid*  
2 *to the Federal Transit Administration's capital investment*  
3 *grants account.*

4 *CAPITAL INVESTMENT GRANTS*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses to carry out 49 U.S.C. 5308,*  
7 *5309, 5318, and 5327, \$607,200,000, to remain available*  
8 *until expended: Provided, That no more than*  
9 *\$3,036,000,000 of budget authority shall be available for*  
10 *these purposes: Provided further, That there shall be avail-*  
11 *able for fixed guideway modernization, \$1,214,400,000;*  
12 *there shall be available for the replacement, rehabilitation,*  
13 *and purchase of buses and related equipment and the con-*  
14 *struction of bus-related facilities, \$607,200,000, together*  
15 *with \$50,000,000 made available under 5309(m)(3)(C) of*  
16 *this title and \$50,000,000 transferred from "Federal Tran-*  
17 *sit Administration, Formula Grants"; and there shall be*  
18 *available for new fixed guideway systems \$1,214,400,000,*  
19 *together with \$25,000,000 transferred from the Job Access*  
20 *and Reverse Commute Grants Program account; to be avail-*  
21 *able as follows:*

22 *Alaska-Hawaii Setaside, \$10,296,000;*

23 *Allegheny Port Authority, Stage II Light Rail*

24 *Transit, PA, \$26,250,000;*

- 1           *Altamont Commuter Express San Jose to Stock-*  
2           *ton, CA, \$1,000,000;*
- 3           *Anderson County, South Carolina Transit Sys-*  
4           *tem, SC, \$5,000,000;*
- 5           *Baltimore Central Light Rail Double Track*  
6           *Project, MD, \$24,250,000;*
- 7           *BART, SFO Extension, CA, \$100,000,000;*
- 8           *Birmingham Transit Corridor Study/PE, AL,*  
9           *\$3,000,000;*
- 10           *Boston, North Shore Corridor Project, MA,*  
11           *\$500,000;*
- 12           *Boston, MA, South Boston Piers Transitway,*  
13           *\$681,000;*
- 14           *Bridgeport Intermodal Corridor Project, CT,*  
15           *\$5,000,000;*
- 16           *Burlington-Middlebury Commuter Rail, VT,*  
17           *\$2,000,000;*
- 18           *Canal Streetcar, New Orleans, LA, \$30,000,000;*
- 19           *Charlotte South Corridor Light Rail Project, NC,*  
20           *\$8,000,000;*
- 21           *Chicago, Douglas Blue Line Project, IL,*  
22           *\$55,000,000;*
- 23           *Chicago, METRA, Expansion Project, IL,*  
24           *\$52,000,000;*

- 1           *Chicago, Ravenswood Brown Line Expansion*  
2           *Project, IL, \$2,000,000;*
- 3           *DART, Suburban Areas Extension, Dallas, TX,*  
4           *\$60,000,000;*
- 5           *Dulles Link Project, VA, \$18,000,000;*
- 6           *East Side Access Project, NY, \$12,000,000;*
- 7           *Euclid Corridor Transportation Project, Cleve-*  
8           *land, OH, \$6,000,000;*
- 9           *Houston Advanced Metro Transit Plan,*  
10           *\$20,000,000;*
- 11           *Hudson-Bergen, Hoboken to Tonnelles Ave., NJ*  
12           *(MOS2), \$50,000,000;*
- 13           *Hudson-Bergen, Jersey City, Bayonne & Hobo-*  
14           *ken, NJ (MOS1), \$19,200,000;*
- 15           *Interstate MAX Light Rail Transit Extension*  
16           *Project, Portland, OR, \$70,000,000;*
- 17           *Johnson County Commuter Rail, KS, \$400,000;*
- 18           *Little Rock River Rail, AR, \$2,000,000;*
- 19           *Los Angeles, North Hollywood Extension, CA,*  
20           *\$40,490,000;*
- 21           *Lowell, MA to Nashua, NH Commuter Rail Ext.*  
22           *Project, NH, \$500,000;*
- 23           *MARC Expansion Project, MD, \$12,000,000;*
- 24           *MARTA North Line Extension Project Comple-*  
25           *tion, GA, \$16,110,000;*

1            *MATA Medical Rail Extension, Memphis, TN,*  
2            *\$15,610,000;*  
3            *Medical Center Light Rail Extension, UT,*  
4            *\$10,000,000;*  
5            *Metro Link Commuter Rail, St. Clair Extension*  
6            *Project, IL, \$3,370,000;*  
7            *Metro North Rolling Stock, CT, \$6,000,000;*  
8            *Nashville Light Rail, TN, \$3,500,000;*  
9            *Newark-Elizabeth Rail Link, 15 Station Light*  
10           *Rail Line, NJ, \$60,000,000;*  
11           *North Shore Connector Project, Pittsburgh, PA,*  
12           *\$7,025,000;*  
13           *North/South TRAX Light Rail Transit Line,*  
14           *UT, \$720,000;*  
15           *Oceanside-Escondido Light Rail Project, CA,*  
16           *\$12,200,000;*  
17           *Ogden to Provo Commuter Rail Corridor, UT,*  
18           *\$6,000,000;*  
19           *Pawtucket Layover Facility, RI, \$4,500,000;*  
20           *Port McKenzie Ferry, AK, \$5,000,000;*  
21           *Raleigh, Triangle Transit Project, NC,*  
22           *\$11,000,000;*  
23           *Resort Corridor Project, Las Vegas, NV,*  
24           *\$9,000,000;*

- 1           *Salt Lake City University TRAX Light Rail*  
2           *Transit Line, UT, \$68,760,000;*
- 3           *San Diego Mission Valley East Line Project, CA,*  
4           *\$65,000,000;*
- 5           *San Juan-Tren Urbano, \$30,038,000;*
- 6           *Santa Fe/El Dorado Rail Link, NM, \$1,000,000;*
- 7           *Scranton to New York City Passenger Rail Serv-*  
8           *ice, PA, \$3,000,000;*
- 9           *SEPTA Schuylkill Valley Metro Project, PA,*  
10           *\$15,000,000;*
- 11           *Sounder Commuter Rail, WA, \$30,000,000;*
- 12           *Stamford Urban Transitway, Phase 2 Project,*  
13           *CT, \$12,000,000;*
- 14           *T-REX Southeast Light Rail Corridor, CO,*  
15           *\$70,000,000;*
- 16           *Tri-Rail, Double Track Improvement, FL,*  
17           *\$18,500,000;*
- 18           *Twin Cities Hiawatha & Northstar Projects,*  
19           *MN, \$48,000,000;*
- 20           *Vermont Transportation Authority Rolling*  
21           *Stock, VT, \$1,000,000;*
- 22           *Virginia Railway Express VRE, Project, VA,*  
23           *\$4,000,000;*
- 24           *Wilmington Train Station improvements, DE,*  
25           *\$3,000,000;*



1 *the Corporation, and in accord with law, and to make such*  
 2 *contracts and commitments without regard to fiscal year*  
 3 *limitations as provided by section 104 of the Government*  
 4 *Corporation Control Act, as amended, as may be necessary*  
 5 *in carrying out the programs set forth in the Corporation's*  
 6 *budget for the current fiscal year.*

7 *OPERATIONS AND MAINTENANCE*

8 *(HARBOR MAINTENANCE TRUST FUND)*

9 *For necessary expenses for operations and mainte-*  
 10 *nance of those portions of the Saint Lawrence Seaway oper-*  
 11 *ated and maintained by the Saint Lawrence Seaway Devel-*  
 12 *opment Corporation, \$13,345,000, to be derived from the*  
 13 *Harbor Maintenance Trust Fund, pursuant to Public Law*  
 14 *99-662.*

15 *RESEARCH AND SPECIAL PROGRAMS*

16 *ADMINISTRATION*

17 *RESEARCH AND SPECIAL PROGRAMS*

18 *For expenses necessary to discharge the functions of the*  
 19 *Research and Special Programs Administration,*  
 20 *\$43,725,000, of which \$645,000 shall be derived from the*  
 21 *Pipeline Safety Fund, and of which \$3,342,000 shall re-*  
 22 *main available until September 30, 2005: Provided, That*  
 23 *up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g)*  
 24 *shall be deposited in the general fund of the Treasury as*  
 25 *offsetting receipts: Provided further, That there may be*

1 credited to this appropriation, to be available until ex-  
2 pended, funds received from States, counties, municipali-  
3 ties, other public authorities, and private sources for ex-  
4 penses incurred for training, for reports publication and  
5 dissemination, and for travel expenses incurred in perform-  
6 ance of hazardous materials exemptions and approvals  
7 functions.

8 *PIPELINE SAFETY*

9 *(PIPELINE SAFETY FUND)*

10 *(OIL SPILL LIABILITY TRUST FUND)*

11 *For expenses necessary to conduct the functions of the*  
12 *pipeline safety program, for grants-in-aid to carry out a*  
13 *pipeline safety program, as authorized by 49 U.S.C. 60107,*  
14 *and to discharge the pipeline program responsibilities of*  
15 *the Oil Pollution Act of 1990, \$63,857,000, of which*  
16 *\$7,472,000 shall be derived from the Oil Spill Liability*  
17 *Trust Fund and shall remain available until September 30,*  
18 *2005; of which \$56,385,000 shall be derived from the Pipe-*  
19 *line Safety Fund, of which \$24,823,000 shall remain avail-*  
20 *able until September 30, 2005.*

21 *EMERGENCY PREPAREDNESS GRANTS*

22 *(EMERGENCY PREPAREDNESS FUND)*

23 *For necessary expenses to carry out 49 U.S.C. 5127(c),*  
24 *\$200,000, to be derived from the Emergency Preparedness*  
25 *Fund, to remain available until September 30, 2005: Pro-*  
26 *vided, That not more than \$14,300,000 shall be made avail-*



1 *able for obligation in fiscal year 2003 from amounts made*  
2 *available by 49 U.S.C. 5116(i) and 5127(d): Provided fur-*  
3 *ther, That none of the funds made available by 49 U.S.C.*  
4 *5116(i) and 5127(d) shall be made available for obligation*  
5 *by individuals other than the Secretary of Transportation,*  
6 *or his designee.*

7 **OFFICE OF INSPECTOR GENERAL**

8 **SALARIES AND EXPENSES**

9 *For necessary expenses of the Office of Inspector Gen-*  
10 *eral to carry out the provisions of the Inspector General*  
11 *Act of 1978, as amended, \$57,421,000: Provided, That the*  
12 *Inspector General shall have all necessary authority, in car-*  
13 *rying out the duties specified in the Inspector General Act,*  
14 *as amended (5 U.S.C. App. 3) to investigate allegations of*  
15 *fraud, including false statements to the government (18*  
16 *U.S.C. 1001), by any person or entity that is subject to*  
17 *regulation by the Department: Provided further, That the*  
18 *funds made available under this heading shall be used to*  
19 *investigate, pursuant to section 41712 of title 49, United*  
20 *States Code: (1) unfair or deceptive practices and unfair*  
21 *methods of competition by domestic and foreign air carriers*  
22 *and ticket agents; and (2) the compliance of domestic and*  
23 *foreign air carriers with respect to item (1) of this proviso.*

1            *SURFACE TRANSPORTATION BOARD*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses of the Surface Transportation*  
4 *Board, including services authorized by 5 U.S.C. 3109,*  
5 *\$19,459,000: Provided, That notwithstanding any other*  
6 *provision of law, not to exceed \$1,000,000 from fees estab-*  
7 *lished by the Chairman of the Surface Transportation*  
8 *Board shall be credited to this appropriation as offsetting*  
9 *collections and used for necessary and authorized expenses*  
10 *under this heading: Provided further, That the sum herein*  
11 *appropriated from the general fund shall be reduced on a*  
12 *dollar-for-dollar basis as such offsetting collections are re-*  
13 *ceived during fiscal year 2003, to result in a final appro-*  
14 *priation from the general fund estimated at no more than*  
15 *\$18,459,000.*

16                            *TITLE II*17                            *RELATED AGENCIES*18                            *ARCHITECTURAL AND TRANSPORTATION*19                            *BARRIERS COMPLIANCE BOARD*20                            *SALARIES AND EXPENSES*

21            *For expenses necessary for the Architectural and*  
22 *Transportation Barriers Compliance Board, as authorized*  
23 *by section 502 of the Rehabilitation Act of 1973, as amend-*  
24 *ed, \$5,194,000: Provided, That, notwithstanding any other*

1 *provision of law, there may be credited to this appropria-*  
2 *tion funds received for publications and training expenses.*

3 **NATIONAL TRANSPORTATION SAFETY BOARD**

4 **SALARIES AND EXPENSES**

5 *For necessary expenses of the National Transportation*  
6 *Safety Board, including hire of passenger motor vehicles*  
7 *and aircraft; services as authorized by 5 U.S.C. 3109, but*  
8 *at rates for individuals not to exceed the per diem rate*  
9 *equivalent to the rate for a GS-15; uniforms, or allowances*  
10 *therefor, as authorized by law (5 U.S.C. 5901-5902)*  
11 *\$72,500,000, of which not to exceed \$2,000 may be used for*  
12 *official reception and representation expenses.*

13 **TITLE III**

14 **GENERAL PROVISIONS**

15 **(INCLUDING TRANSFERS OF FUNDS)**

16 *SEC. 301. During the current fiscal year applicable*  
17 *appropriations to the Department of Transportation shall*  
18 *be available for maintenance and operation of aircraft; hire*  
19 *of passenger motor vehicles and aircraft; purchase of liabil-*  
20 *ity insurance for motor vehicles operating in foreign coun-*  
21 *tries on official department business; and uniforms, or al-*  
22 *lowances therefor, as authorized by law (5 U.S.C. 5901-*  
23 *5902).*

24 *SEC. 302. Such sums as may be necessary for fiscal*  
25 *year 2003 pay raises for programs funded in this Act shall*

1 *be absorbed within the levels appropriated in this Act or*  
2 *previous appropriations Acts.*

3       *SEC. 303. Appropriations contained in this Act for the*  
4 *Department of Transportation shall be available for services*  
5 *as authorized by 5 U.S.C. 3109, but at rates for individuals*  
6 *not to exceed the per diem rate equivalent to the rate for*  
7 *an Executive Level IV.*

8       *SEC. 304. None of the funds in this Act shall be avail-*  
9 *able for salaries and expenses of more than 105 political*  
10 *and Presidential appointees in the Department of Trans-*  
11 *portation: Provided, That none of the personnel covered by*  
12 *this provision or political and Presidential appointees in*  
13 *an independent agency funded in this Act may be assigned*  
14 *on temporary detail outside the Department of Transpor-*  
15 *tation or such independent agency.*

16       *SEC. 305. None of the funds in this Act shall be used*  
17 *for the planning or execution of any program to pay the*  
18 *expenses of, or otherwise compensate, non-Federal parties*  
19 *intervening in regulatory or adjudicatory proceedings fund-*  
20 *ed in this Act.*

21       *SEC. 306. None of the funds appropriated in this Act*  
22 *shall remain available for obligation beyond the current fis-*  
23 *cal year, nor may any be transferred to other appropria-*  
24 *tions, unless expressly so provided herein.*

1        *SEC. 307. The expenditure of any appropriation under*  
2 *this Act for any consulting service through procurement*  
3 *contract pursuant to section 3109 of title 5, United States*  
4 *Code, shall be limited to those contracts where such expendi-*  
5 *tures are a matter of public record and available for public*  
6 *inspection, except where otherwise provided under existing*  
7 *law, or under existing Executive order issued pursuant to*  
8 *existing law.*

9        *SEC. 308. None of the funds in this Act shall be used*  
10 *to implement section 404 of title 23, United States Code.*

11        *SEC. 309. The limitations on obligations for the pro-*  
12 *grams of the Federal Transit Administration shall not*  
13 *apply to any authority under 49 U.S.C. 5338, previously*  
14 *made available for obligation, or to any other authority pre-*  
15 *viously made available for obligation.*

16        *SEC. 310. (a) For fiscal year 2003, the Secretary of*  
17 *Transportation shall—*

18            *(1) not distribute from the obligation limitation*  
19 *for Federal-aid Highways amounts authorized for ad-*  
20 *ministrative expenses and programs funded from the*  
21 *administrative takedown authorized by section*  
22 *104(a)(1)(A) of title 23, United States Code, for the*  
23 *highway use tax evasion program and for the Bureau*  
24 *of Transportation Statistics;*

1           (2) not distribute an amount from the obligation  
2           limitation for Federal-aid Highways that is equal to  
3           the unobligated balance of amounts made available  
4           from the Highway Trust Fund (other than the Mass  
5           Transit Account) for Federal-aid highways and high-  
6           way safety programs for the previous fiscal year the  
7           funds for which are allocated by the Secretary;

8           (3) determine the ratio that—

9                   (A) the obligation limitation for Federal-aid  
10                  Highways less the aggregate of amounts not dis-  
11                  tributed under paragraphs (1) and (2), bears to

12                   (B) the total of the sums authorized to be  
13                  appropriated for Federal-aid highways and high-  
14                  way safety construction programs (other than  
15                  sums authorized to be appropriated for sections  
16                  set forth in paragraphs (1) through (7) of sub-  
17                  section (b) and sums authorized to be appro-  
18                  priated for section 105 of title 23, United States  
19                  Code, equal to the amount referred to in sub-  
20                  section (b)(8)) for such fiscal year less the aggre-  
21                  gate of the amounts not distributed under para-  
22                  graph (1) of this subsection;

23           (4) distribute the obligation limitation for Fed-  
24           eral-aid Highways less the aggregate amounts not dis-  
25           tributed under paragraphs (1) and (2) of section 117

1       of title 23, United States Code (relating to high pri-  
2       ority projects program), section 201 of the Appa-  
3       lachian Regional Development Act of 1965, the Wood-  
4       row Wilson Memorial Bridge Authority Act of 1995,  
5       and \$2,000,000,000 for such fiscal year under section  
6       105 of title 23, United States Code (relating to min-  
7       imum guarantee) so that the amount of obligation au-  
8       thority available for each of such sections is equal to  
9       the amount determined by multiplying the ratio de-  
10      termined under paragraph (3) by the sums authorized  
11      to be appropriated for such section (except in the case  
12      of section 105, \$2,000,000,000) for such fiscal year;

13           (5) distribute the obligation limitation provided  
14      for Federal-aid Highways less the aggregate amounts  
15      not distributed under paragraphs (1) and (2) and  
16      amounts distributed under paragraph (4) for each of  
17      the programs that are allocated by the Secretary  
18      under title 23, United States Code (other than activi-  
19      ties to which paragraph (1) applies and programs to  
20      which paragraph (4) applies) by multiplying the  
21      ratio determined under paragraph (3) by the sums  
22      authorized to be appropriated for such program for  
23      such fiscal year: Provided, That the amount of obliga-  
24      tion limitation distributed for each program does not

1        *exceed the amount authorized to be appropriated for*  
2        *such program; and*

3            *(6) distribute the obligation limitation provided*  
4        *for Federal-aid Highways less the aggregate amounts*  
5        *not distributed under paragraphs (1) and (2) and*  
6        *amounts distributed under paragraphs (4) and (5) for*  
7        *Federal-aid highways and highway safety construc-*  
8        *tion programs (other than the minimum guarantee*  
9        *program, but only to the extent that amounts appor-*  
10       *tioned for the minimum guarantee program for such*  
11       *fiscal year exceed \$2,639,000,000, and the Appa-*  
12       *lachian development highway system program) that*  
13       *are apportioned by the Secretary under title 23,*  
14       *United States Code, in the ratio that—*

15            *(A) sums authorized to be appropriated for*  
16        *such programs that are apportioned to each*  
17        *State for such fiscal year, bear to*

18            *(B) the total of the sums authorized to be*  
19        *appropriated for such programs that are appor-*  
20        *tioned to all States for such fiscal year.*

21        *(b) The obligation limitation for Federal-aid High-*  
22        *ways shall not apply to obligations: (1) under section 125*  
23        *of title 23, United States Code; (2) under section 147 of*  
24        *the Surface Transportation Assistance Act of 1978; (3)*  
25        *under section 9 of the Federal-Aid Highway Act of 1981;*



1 (4) under sections 131(b) and 131(j) of the Surface Trans-  
2 portation Assistance Act of 1982; (5) under sections 149(b)  
3 and 149(c) of the Surface Transportation and Uniform Re-  
4 location Assistance Act of 1987; (6) under sections 1103  
5 through 1108 of the Intermodal Surface Transportation Ef-  
6 ficiency Act of 1991; (7) under section 157 of title 23,  
7 United States Code, as in effect on the day before the date  
8 of the enactment of the Transportation Equity Act for the  
9 21st Century; and (8) under section 105 of title 23, United  
10 States Code (but, only in an amount equal to \$639,000,000  
11 for such fiscal year).

12 (c) Notwithstanding subsection (a), the Secretary shall  
13 after August 1 for such fiscal year revise a distribution of  
14 the obligation limitation made available under subsection  
15 (a) if a State will not obligate the amount distributed dur-  
16 ing that fiscal year and redistribute sufficient amounts to  
17 those States able to obligate amounts in addition to those  
18 previously distributed during that fiscal year giving pri-  
19 ority to those States having large unobligated balances of  
20 funds apportioned under sections 104 and 144 of title 23,  
21 United States Code, section 160 (as in effect on the day  
22 before the enactment of the Transportation Equity Act for  
23 the 21st Century) of title 23, United States Code, and under  
24 section 1015 of the Intermodal Surface Transportation Effi-  
25 ciency Act of 1991 (105 Stat. 1943–1945).

1           (d) *The obligation limitation shall apply to transpor-*  
2 *tation research programs carried out under chapter 5 of*  
3 *title 23, United States Code, except that obligation author-*  
4 *ity made available for such programs under such limitation*  
5 *shall remain available for a period of 3 fiscal years.*

6           (e) *Not later than 30 days after the date of the dis-*  
7 *tribution of obligation limitation under subsection (a), the*  
8 *Secretary shall distribute to the States any funds: (1) that*  
9 *are authorized to be appropriated for such fiscal year for*  
10 *Federal-aid highways programs (other than the program*  
11 *under section 160 of title 23, United States Code) and for*  
12 *carrying out subchapter I of chapter 311 of title 49, United*  
13 *States Code, and highway-related programs under chapter*  
14 *4 of title 23, United States Code; and (2) that the Secretary*  
15 *determines will not be allocated to the States, and will not*  
16 *be available for obligation, in such fiscal year due to the*  
17 *imposition of any obligation limitation for such fiscal year.*  
18 *Such distribution to the States shall be made in the same*  
19 *ratio as the distribution of obligation authority under sub-*  
20 *section (a)(6). The funds so distributed shall be available*  
21 *for any purposes described in section 133(b) of title 23,*  
22 *United States Code.*

23           (f) *Obligation limitation distributed for a fiscal year*  
24 *under subsection (a)(4) of this section for a section set forth*  
25 *in subsection (a)(4) shall remain available until used and*

1 *shall be in addition to the amount of any limitation im-*  
2 *posed on obligations for Federal-aid highway and highway*  
3 *safety construction programs for future fiscal years.*

4 *SEC. 311. (a) No recipient of funds made available in*  
5 *this Act shall disseminate personal information (as defined*  
6 *in 18 U.S.C. 2725(3)) obtained by a State department of*  
7 *motor vehicles in connection with a motor vehicle record*  
8 *as defined in 18 U.S.C. 2725(1), except as provided in 18*  
9 *U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.*

10 *(b) Notwithstanding subsection (a), the Secretary shall*  
11 *not withhold funds provided in this Act for any grantee*  
12 *if a State is in noncompliance with this provision.*

13 *SEC. 312. None of the funds in this Act shall be avail-*  
14 *able to plan, finalize, or implement regulations that would*  
15 *establish a vessel traffic safety fairway less than five miles*  
16 *wide between the Santa Barbara Traffic Separation*  
17 *Scheme and the San Francisco Traffic Separation Scheme.*

18 *SEC. 313. Notwithstanding any other provision of law,*  
19 *airports may transfer, without consideration, to the Federal*  
20 *Aviation Administration (FAA) instrument landing sys-*  
21 *tems (along with associated approach lighting equipment*  
22 *and runway visual range equipment) which conform to*  
23 *FAA design and performance specifications, the purchase*  
24 *of which was assisted by a Federal airport-aid program,*  
25 *airport development aid program or airport improvement*

1 *program grant: Provided, That, the Federal Aviation Ad-*  
2 *ministration shall accept such equipment, which shall there-*  
3 *after be operated and maintained by FAA in accordance*  
4 *with agency criteria.*

5 *SEC. 314. Notwithstanding any other provision of law,*  
6 *and except for fixed guideway modernization projects, funds*  
7 *made available by this Act under “Federal Transit Admin-*  
8 *istration, Capital investment grants” for projects specified*  
9 *in this Act or identified in reports accompanying this Act*  
10 *not obligated by September 30, 2005, and other recoveries,*  
11 *shall be made available for other projects under 49 U.S.C.*  
12 *5309.*

13 *SEC. 315. Notwithstanding any other provision of law,*  
14 *any funds appropriated before October 1, 2002, under any*  
15 *section of chapter 53 of title 49, United States Code, that*  
16 *remain available for expenditure may be transferred to and*  
17 *administered under the most recent appropriation heading*  
18 *for any such section.*

19 *SEC. 316. Notwithstanding any other provision of law,*  
20 *whenever an allocation is made of the sums authorized to*  
21 *be appropriated for expenditure on the Federal lands high-*  
22 *way program, and whenever an apportionment is made of*  
23 *the sums authorized to be appropriated for expenditure on*  
24 *the surface transportation program, the congestion mitiga-*  
25 *tion and air quality improvement program, the National*

1 *Highway System, the Interstate maintenance program, the*  
2 *bridge program, the Appalachian development highway sys-*  
3 *tem, and the minimum guarantee program, the Secretary*  
4 *of Transportation shall—*

5           (1) *deduct a sum in such amount not to exceed*  
6 *.45 percent of all sums so made available, as the Sec-*  
7 *retary determines necessary, to administer the provi-*  
8 *sions of law to be financed from appropriations for*  
9 *motor carrier safety programs and motor carrier safe-*  
10 *ty research: Provided, That any deduction by the Sec-*  
11 *retary of Transportation in accordance with this sub-*  
12 *section shall be deemed to be a deduction under sec-*  
13 *tion 104(a)(1)(B) of title 23, United States Code, and*  
14 *the sum so deducted shall remain available until ex-*  
15 *pended; and*

16           (2) *deduct a sum in such amount not to exceed*  
17 *1.9 percent of all sums so made available, as the Sec-*  
18 *retary determines necessary to administer the provi-*  
19 *sions of law to be financed from appropriations for*  
20 *the programs authorized under chapters 1 and 2 of*  
21 *title 23, United States Code, and to make transfers in*  
22 *accordance with section 104(a)(1)(A)(ii) of title 23,*  
23 *United States Code: Provided, That any deduction by*  
24 *the Secretary of Transportation in accordance with*  
25 *this subsection shall be deemed to be a deduction*

1        *under section 104(a)(1)(A) of title 23, United States*  
2        *Code, and the sum so deducted shall remain available*  
3        *until expended.*

4        *SEC. 317. Funds received by the Federal Highway Ad-*  
5        *ministration, Federal Transit Administration, and Federal*  
6        *Railroad Administration from States, counties, municipali-*  
7        *ties, other public authorities, and private sources for ex-*  
8        *penses incurred for training may be credited respectively*  
9        *to the Federal Highway Administration's "Federal-Aid*  
10       *Highways" account, the Federal Transit Administration's*  
11       *"Transit Planning and Research" account, and to the Fed-*  
12       *eral Railroad Administration's "Safety and Operations"*  
13       *account, except for State rail safety inspectors participating*  
14       *in training pursuant to 49 U.S.C. 20105.*

15       *SEC. 318. Funds made available for Alaska or Hawaii*  
16       *ferry boats or ferry terminal facilities pursuant to 49*  
17       *U.S.C. 5309(m)(2)(B) may be used to construct new vessels*  
18       *and facilities, or to improve existing vessels and facilities,*  
19       *including both the passenger and vehicle-related elements of*  
20       *such vessels and facilities, and for repair facilities: Pro-*  
21       *vided, That not more than \$3,000,000 of the funds made*  
22       *available pursuant to 49 U.S.C. 5309(m)(2)(B) may be*  
23       *used by the State of Hawaii to initiate and operate a pas-*  
24       *senger ferryboat services demonstration project to test the*  
25       *viability of different intra-island and inter-island ferry*

1 *boat routes and technology: Provided further, that notwith-*  
2 *standing the provisions 49 U.S.C. 5302(a)(7), funds made*  
3 *available for Alaska or Hawaii ferry boats may be used*  
4 *to acquire passenger ferry boats and to provide passenger*  
5 *ferry transportation services within areas of the State of*  
6 *Hawaii under the control or use of the National Park Serv-*  
7 *ice.*

8       *SEC. 319. Notwithstanding 31 U.S.C. 3302, funds re-*  
9 *ceived by the Bureau of Transportation Statistics from the*  
10 *sale of data products, for necessary expenses incurred pur-*  
11 *suant to 49 U.S.C. 111 may be credited to the Federal-aid*  
12 *highways account for the purpose of reimbursing the Bu-*  
13 *reau for such expenses: Provided, That such funds shall be*  
14 *subject to the obligation limitation for Federal-aid high-*  
15 *ways and highway safety construction.*

16       *SEC. 320. (a) Section 47107 of title 49, United States*  
17 *Code, is amended by inserting after section 47107(p) the*  
18 *following:*

19       *“(q) Notwithstanding any written assurances pre-*  
20 *scribed in subsections (a) through (p), a general aviation*  
21 *airport with more than 300,000 annual operations may be*  
22 *exempt from having to accept scheduled passenger air car-*  
23 *rier service, provided that the following conditions are met:*

1           “(1) No scheduled passenger air carrier has pro-  
2           vided service at the airport within five years prior to  
3           January 1, 2002;

4           “(2) The airport is located within the Class B  
5           airspace of an airport that maintains an airport op-  
6           erating certificate pursuant to Section 44706 of title  
7           49; and,

8           “(3) The certificated airport operating under  
9           Section 44706 of title 49 has sufficient capacity and  
10          does not contribute to significant delays as defined by  
11          DOT/FAA in the ‘Airport Capacity Benchmark Re-  
12          port 2001’.

13          “(r) An airport that meets the conditions of subsections  
14          (q)(1) through (3) is not subject to Section 47524 of title  
15          49 with respect to a prohibition on all scheduled passenger  
16          service.”.

17          (b) This section shall be effective upon enactment, not-  
18          withstanding any other section of title 49.

19          SEC. 321. None of the funds in this Act shall, in the  
20          absence of express authorization by Congress, be used di-  
21          rectly or indirectly to pay for any personal service, adver-  
22          tisement, telegraph, telephone, letter, printed or written ma-  
23          terial, radio, television, video presentation, electronic com-  
24          munications, or other device, intended or designed to influ-  
25          ence in any manner a Member of Congress or of a State



1 *legislature to favor or oppose by vote or otherwise, any legis-*  
2 *lation or appropriation by Congress or a State legislature*  
3 *after the introduction of any bill or resolution in Congress*  
4 *proposing such legislation or appropriation, or after the in-*  
5 *troduction of any bill or resolution in a State legislature*  
6 *proposing such legislation or appropriation: Provided, That*  
7 *this shall not prevent officers or employees of the Depart-*  
8 *ment of Transportation or related agencies funded in this*  
9 *Act from communicating to Members of Congress or to Con-*  
10 *gress, on the request of any Member, or to members of State*  
11 *legislature, or to a State legislature, through the proper offi-*  
12 *cial channels, requests for legislation or appropriations*  
13 *which they deem necessary for the efficient conduct of busi-*  
14 *ness.*

15       *SEC. 322. (a) Funds provided in Public Law 106–69*  
16 *for the Wilmington, Delaware downtown transit connector*  
17 *and funds provided in Public Law 106–346 for the Wil-*  
18 *mington downtown corridor project shall be available for*  
19 *Wilmington, Delaware commuter rail improvements.*

20       *(b) Funds provided in Public Law 106–346 for Mis-*  
21 *soula Ravalli Transportation Management Administration*  
22 *buses shall be available for Missoula Ravalli Transportation*  
23 *Management Administration buses and bus facilities.*

24       *SEC. 323. (a) IN GENERAL.—None of the funds made*  
25 *available in this Act may be expended by an entity unless*

1 *the entity agrees that in expending the funds the entity will*  
2 *comply with the Buy American Act (41 U.S.C. 10a–10c).*

3 (b) *SENSE OF THE CONGRESS; REQUIREMENT RE-*  
4 *GARDING NOTICE.—*

5 (1) *PURCHASE OF AMERICAN-MADE EQUIPMENT*  
6 *AND PRODUCTS.—In the case of any equipment or*  
7 *product that may be authorized to be purchased with*  
8 *financial assistance provided using funds made avail-*  
9 *able in this Act, it is the sense of the Congress that*  
10 *entities receiving the assistance should, in expending*  
11 *the assistance, purchase only American-made equip-*  
12 *ment and products to the greatest extent practicable.*

13 (2) *NOTICE TO RECIPIENTS OF ASSISTANCE.—In*  
14 *providing financial assistance using funds made*  
15 *available in this Act, the head of each Federal agency*  
16 *shall provide to each recipient of the assistance a no-*  
17 *tice describing the statement made in paragraph (1)*  
18 *by the Congress.*

19 (c) *PROHIBITION OF CONTRACTS WITH PERSONS*  
20 *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*  
21 *If it has been finally determined by a court or Federal agen-*  
22 *cy that any person intentionally affixed a label bearing a*  
23 *“Made in America” inscription, or any inscription with*  
24 *the same meaning, to any product sold in or shipped to*  
25 *the United States that is not made in the United States,*

1 *the person shall be ineligible to receive any contract or sub-*  
2 *contract made with funds made available in this Act, pur-*  
3 *suant to the debarment, suspension, and ineligibility proce-*  
4 *dures described in sections 9.400 through 9.409 of title 48,*  
5 *Code of Federal Regulations.*

6       *SEC. 324. Notwithstanding any other provision of law,*  
7 *Walnut Ridge Regional Airport shall transfer to the Federal*  
8 *Aviation Administration (FAA) their localizer instrument*  
9 *landing system, which shall thereafter be operated and*  
10 *maintained by FAA in accordance with agency criteria.*

11       *SEC. 325. Notwithstanding any other provision of law,*  
12 *Williams Gateway Airport shall transfer to the Federal*  
13 *Aviation Administration (FAA) air traffic control tower*  
14 *equipment, which shall thereafter be operated and main-*  
15 *tained by FAA in accordance with agency criteria.*

16       *SEC. 326. Rebates, refunds, incentive payments, minor*  
17 *fees and other funds received by the Department from travel*  
18 *management centers, charge card programs, the subleasing*  
19 *of building space, and miscellaneous sources are to be cred-*  
20 *ited to appropriations of the Department and allocated to*  
21 *elements of the Department using fair and equitable criteria*  
22 *and such funds shall be available until December 31, 2003.*

23       *SEC. 327. Section 218(a) of Title 23, United States*  
24 *Code, is amended by inserting “reauthorization of the” be-*  
25 *fore “Transportation”.*

1        *SEC. 328. Notwithstanding any other provision of law,*  
2 *rule or regulation, the Secretary of Transportation is au-*  
3 *thorized to allow the issuer of any preferred stock heretofore*  
4 *sold to the Department to redeem or repurchase such stock*  
5 *upon the payment to the Department of an amount deter-*  
6 *mined by the Secretary.*

7        *SEC. 329. In addition to amounts otherwise made*  
8 *available in this Act, to enable the Secretary of Transpor-*  
9 *tation to make grants for surface transportation projects,*  
10 *\$90,600,000, to remain available until expended.*

11        *SEC. 330. (a) Notwithstanding any other provision of*  
12 *law, the Secretary shall approve the construction of Type*  
13 *II noise barriers from funds apportioned under sections*  
14 *104(b)(1) and 104(b)(3) of title 23, United States Code at*  
15 *the following location in Georgia: On the West Side of I-*  
16 *285 between Paces Ferry Road and the Chattahoochee*  
17 *River.*

18        *(b) Notwithstanding any other provision of law, the*  
19 *Secretary of Transportation shall approve the use of funds*  
20 *apportioned under paragraphs (1) and (3) of section 104(b)*  
21 *of title 23, United States Code, for construction of Type*  
22 *II noise barriers on the West side of GA 400 from the*  
23 *Glenridge Connector to Northland Drive.*

24        *SEC. 331. None of the funds in this Act may be used*  
25 *to make a grant unless the Secretary of Transportation no-*

1 *tifies the House and Senate Committees on Appropriations*  
2 *not less than 3 full business days before any discretionary*  
3 *grant award is made under section 1221 of Public Law*  
4 *105–178 and before any grant award letter of intent, or*  
5 *full funding grant agreement totaling \$500,000 or more is*  
6 *announced by the department or its modal administrations*  
7 *from any discretionary grant program within the Depart-*  
8 *ment: Provided, That no notification shall involve funds*  
9 *that are not available for obligation.*

10       *SEC. 332. Of the funds provided in section 101(a)(2)*  
11 *of Public Law 107–42, \$77,100,000 are rescinded.*

12       *SEC. 333. (a) The Secretary of Transportation shall*  
13 *enter into an agreement with the National Academy of*  
14 *Sciences under which agreement the National Academy of*  
15 *Sciences shall conduct a study of the procedures by which*  
16 *the Department of Energy, together with the Department*  
17 *of Transportation and the Nuclear Regulatory Commission,*  
18 *selects routes for the shipment of spent nuclear fuel from*  
19 *research nuclear reactors between or among existing De-*  
20 *partment of Energy facilities currently licensed to accept*  
21 *such spent nuclear fuel.*

22       *(b) In conducting the study under subsection (a), the*  
23 *National Academy of Sciences shall analyze the manner in*  
24 *which the Department of Energy—*

1           (1) *selects potential routes for the shipment of*  
2           *spent nuclear fuel from research nuclear reactors be-*  
3           *tween or among existing Department facilities cur-*  
4           *rently licensed to accept such spent nuclear fuel;*

5           (2) *selects such a route for a specific shipment of*  
6           *such spent nuclear fuel; and*

7           (3) *conducts assessments of the risks associated*  
8           *with shipments of such spent nuclear fuel along such*  
9           *a route.*

10          (c) *The analysis under subsection (b) shall include a*  
11          *consideration whether, and to what extent, the procedures*  
12          *analyzed for purposes of that subsection take into account*  
13          *the following:*

14               (1) *The proximity of the routes under consider-*  
15               *ation to major population centers and the risks asso-*  
16               *ciated with shipments of spent nuclear fuel from re-*  
17               *search nuclear reactors through densely populated*  
18               *areas.*

19               (2) *Current traffic and accident data with re-*  
20               *spect to the routes under consideration.*

21               (3) *The quality of the roads comprising the*  
22               *routes under consideration.*

23               (4) *Emergency response capabilities along the*  
24               *routes under consideration.*

1           (5) *The proximity of the routes under consider-*  
2           *ation to places or venues (including sports stadiums,*  
3           *convention centers, concert halls and theaters, and*  
4           *other venues) where large numbers of people gather.*

5           (d) *In conducting the study under subsection (a), the*  
6           *National Academy of Sciences shall also make such rec-*  
7           *ommendations regarding the matters studied as the Na-*  
8           *tional Academy of Sciences considers appropriate.*

9           (e) *The Secretary shall disperse to the National Acad-*  
10          *emy of Sciences the funds for the cost of the study required*  
11          *by subsection (a) not later than 30 days after the date of*  
12          *the enactment of this Act.*

13          (f) *Not later than six months after the date of the dis-*  
14          *persal of funds under subsection (e), the National Academy*  
15          *of Sciences shall submit to the appropriate committees of*  
16          *Congress a report on the study conducted under subsection*  
17          *(a), including the recommendations required by subsection*  
18          *(d).*

19          (g) *In this section, the term “appropriate committees*  
20          *of Congress” means—*

21                 (1) *the Committees on Commerce, Science, and*  
22                 *Transportation, Energy and Natural Resources, and*  
23                 *Environment and Public Works of the Senate;*

24                 (2) *the Committee on Energy and Commerce of*  
25                 *the House of Representatives; and*

1           (3) *the Committees on Appropriations of the*  
2           *House of Representatives and the Senate.*

3           *SEC. 334. None of the funds in this Act shall be used*  
4 *to pursue or adopt guidelines or regulations requiring air-*  
5 *port sponsors to provide to the Federal Aviation Adminis-*  
6 *tration and the Transportation Security Administration*  
7 *without cost building construction, maintenance, utilities*  
8 *and expenses, or space in airport sponsor-owned buildings*  
9 *for services relating to air traffic control, air navigation,*  
10 *aviation security or weather reporting: Provided, That the*  
11 *prohibition of funds in this section does not apply to nego-*  
12 *tiations between the agency and airport sponsors to achieve*  
13 *agreement on “below-market” rates for these items or to*  
14 *grant assurances that require airport sponsors to provide*  
15 *land without cost to the FAA for air traffic control facilities*  
16 *and the TSA for necessary security checkpoints.*

17           *SEC. 335. Using up to \$300,000 of the amount appro-*  
18 *priated for fiscal year 2002 for the Department of Trans-*  
19 *portation for the Coast Guard for acquisition, construction,*  
20 *and improvements by title I of Public Law 107–87 (115*  
21 *Stat. 836), the Secretary of Transportation shall, by grant,*  
22 *reimburse the City of Escanaba, Michigan, for the costs in-*  
23 *curred by the City for the repair of the North wall of the*  
24 *municipal dock, Escanaba, Michigan, a facility used by the*  
25 *Coast Guard.*



1        *SEC. 336. For the purpose of any applicable law, for*  
2 *fiscal year 2003, the city of Norman, Oklahoma, shall be*  
3 *considered to be part of the Oklahoma City Transportation*  
4 *Management Area.*

5        *SEC. 337. For an airport project that the Adminis-*  
6 *trator of the Federal Aviation Administration (FAA) deter-*  
7 *mines will add critical airport capacity to the national air*  
8 *transportation system, the Administrator is authorized to*  
9 *accept funds from an airport sponsor, including entitlement*  
10 *funds provided under the “Grants-in-Aid for Airports” pro-*  
11 *gram, for the FAA to hire additional staff or obtain the*  
12 *services of consultants: Provided, That the Administrator*  
13 *is authorized to accept and utilize such funds only for the*  
14 *purpose of facilitating the timely processing, review, and*  
15 *completion of environmental activities associated with such*  
16 *project.*

17        *SEC. 338. (a) IN GENERAL.—Notwithstanding any*  
18 *other provision of subchapter I of Chapter 471 of title 49,*  
19 *the Secretary of Transportation may provide grants under*  
20 *such subchapter I of chapter 471 to the airport sponsor of*  
21 *the Double Eagle II Airport in Albuquerque, New Mexico,*  
22 *for—*

23            *(1) the construction of an air traffic control*  
24        *tower; and*

1           (2) *the acquisition and installation of air traffic*  
2           *control equipment to be used in the air traffic control*  
3           *tower that will assist in sustaining or improving the*  
4           *safe and efficient movement of air traffic.*

5           (b) *ELIGIBILITY.*—*The sponsor shall be eligible for a*  
6           *grant under this section if—*

7           (1) *the sponsor would otherwise be eligible to*  
8           *participate in the pilot program established under*  
9           *section 47124(b)(3) of title 49 except for the lack of*  
10           *the air traffic control tower proposed to be constructed*  
11           *under this section; and*

12           (2) *the sponsor agrees to fund not less than 10*  
13           *percent of the costs of construction of the air traffic*  
14           *control tower.*

15           (c) *PROJECT COSTS.*—*Grants under this act shall be*  
16           *paid only from amounts apportioned to the sponsor or for*  
17           *airports in the state under section 47114(d) of title 49,*  
18           *United States Code.*

19           (d) *FEDERAL SHARE.*—*The Federal share of the cost*  
20           *of construction of an air traffic control tower under this*  
21           *section may not exceed \$1,800,000.*

22           *SEC. 339. Notwithstanding any other provision of law,*  
23           *States may use funds provided in this Act under Section*  
24           *402 of title 23, United States Code, to produce and place*  
25           *highway safety public service messages in television, radio,*

1 *cinema, and print media, and on the Internet in accord-*  
2 *ance with guidance issued by the Secretary of Transpor-*  
3 *tation: Provided, That any state that uses funds for such*  
4 *public service messages shall submit to the Secretary a re-*  
5 *port describing and assessing the effectiveness of the mes-*  
6 *sages: Provided further, That \$10,000,000 of the funds allo-*  
7 *cated for innovative seat belt projects under Section 157 of*  
8 *title 23, United States Code, and \$10,000,000 of funds allo-*  
9 *cated under Section 410 of title 23, United States Code,*  
10 *shall be used as directed by the National Highway Traffic*  
11 *Safety Administrator, to purchase advertising in broadcast*  
12 *media to support the national mobilizations conducted in*  
13 *all fifty states, aimed at increasing seat belt use and reduc-*  
14 *ing impaired driving.*

15       *SEC. 340. For purposes of entering into joint public-*  
16 *private partnerships and other cooperative arrangements*  
17 *for the performance of work, the Coast Guard Yard and*  
18 *other Coast Guard specialized facilities designated by the*  
19 *Commandant may enter into agreements or other arrange-*  
20 *ments, receive and retain funds from and pay funds to such*  
21 *public and private entities, and may accept contributions*  
22 *of funds, materials, services, and the use of facilities from*  
23 *such entities: Provided, That amounts received under this*  
24 *section may be credited to appropriate Coast Guard ac-*  
25 *counts.*

1        *SEC. 341. None of the funds in this Act may be obli-*  
2 *gated for the Office of the Secretary of Transportation to*  
3 *approve assessments or reimbursable agreements pertaining*  
4 *to funds appropriated to the modal administrations in this*  
5 *Act, except for activities underway on the date of enactment*  
6 *of this Act, unless such assessments or agreements have com-*  
7 *pleted the normal reprogramming process for Congressional*  
8 *notification.*

9        *SEC. 342. Insert the following new section at the end*  
10 *of chapter 53 of Title 49, United States Code:*

11        *“SEC. 5339. Effective for funds not yet expended on*  
12 *the effective date of this section, the federal share for funds*  
13 *under this chapter for a grantee named in section 603(14)*  
14 *of Public Law 97–468 shall be the same as the federal share*  
15 *under 23 U.S.C. section 120(b) for federal aid highway*  
16 *funds apportioned to the state in which it operates.”.*

17        *SEC. 343. (a) IN GENERAL.—As soon as practicable*  
18 *after the date of enactment of this Act, the Secretary of*  
19 *Transportation shall enter into an agreement with the State*  
20 *of Nevada, the State of Arizona, or both, to provide a meth-*  
21 *od of funding for construction of a Hoover Dam Bypass*  
22 *Bridge from funds allocated for the Federal Lands Highway*  
23 *Program under section 202(b) of title 23, United States*  
24 *Code.*

25        *(b) METHODS OF FUNDING.—*

1           (1) *The agreement entered into under subsection*  
2           *(a) shall provide for funding in a manner consistent*  
3           *with the advance construction and debt instrument fi-*  
4           *ancing procedures for Federal-Aid Highways set*  
5           *forth in sections 115 and 122 of title 23, except that*  
6           *the funding source may include funds made available*  
7           *under the Federal Lands Highway Program.*

8           (2) *Eligibility for funding under this subsection*  
9           *shall not be construed as a commitment, guarantee, or*  
10          *obligation on the part of the United States to provide*  
11          *for payment of principal or interest of an eligible*  
12          *debt financing instrument as so defined in section*  
13          *122, nor create a right of a third party against the*  
14          *United States for payment under an eligible debt fi-*  
15          *ancing instrument. The agreement entered into pur-*  
16          *suant to subsection (a) shall make specific reference to*  
17          *this provision of law.*

18          (3) *The provisions of this section do not limit the*  
19          *use of other available funds for which the project ref-*  
20          *erenced in subsection (a) is eligible.*

21          *SEC. 344. None of the funds appropriated or otherwise*  
22          *made available in this Act may be made available to any*  
23          *person or entity convicted of violating the Buy American*  
24          *Act (41 U.S.C. 10a–10c).*

1        *SEC. 345. For fiscal year 2003, notwithstanding any*  
2 *other provision of law, historic covered bridges eligible for*  
3 *Federal assistance under section 1224 of the Transportation*  
4 *Equity Act for the 21st Century, as amended, may be fund-*  
5 *ed from amounts set aside for the discretionary bridge pro-*  
6 *gram.*

7        *SEC. 346. None of the funds provided in this Act or*  
8 *prior Appropriations Acts for Coast Guard “Acquisition,*  
9 *construction, and improvements” shall be available after the*  
10 *fifteenth day of any quarter of any fiscal year, unless the*  
11 *Commandant of the Coast Guard first submits to the House*  
12 *and Senate Committees on Appropriations a quarterly re-*  
13 *port on the agency’s mission hour emphasis and a quarterly*  
14 *report on all major Coast Guard acquisition projects in-*  
15 *cluding projects executed for the Coast Guard by the United*  
16 *States Navy and vessel traffic service projects: Provided,*  
17 *That such acquisition reports shall include an acquisition*  
18 *schedule, estimated current and year funding requirements,*  
19 *and a schedule of anticipated obligations and outlays for*  
20 *each major acquisition project: Provided further, That such*  
21 *acquisition reports shall rate on a relative scale the cost*  
22 *risk, schedule risk, and technical risk associated with each*  
23 *acquisition project and include a table detailing unobli-*  
24 *gated balances to date and anticipated unobligated balances*  
25 *at the close of the fiscal year and the close of the following*

1 *fiscal year should the Administration's pending budget re-*  
2 *quest for the acquisition, construction, and improvements*  
3 *account be fully funded: Provided further, That such acqui-*  
4 *sition reports shall also provide abbreviated information on*  
5 *the status of shore facility construction and renovation*  
6 *projects: Provided further, That all information submitted*  
7 *in such mission hour emphasis and acquisition reports shall*  
8 *be current as of the last day of the preceding quarter.*

9       *SEC. 347. Of the funds made available in fiscal year*  
10 *2003 in Section 1503 of Public Law 105-178, as amended,*  
11 *\$115,000,000 shall instead be available for the programs*  
12 *authorized in Section 1101(a)(9) of such Act and*  
13 *\$15,000,000 shall instead be made available for Section*  
14 *1221 of such Act.*

15       *SEC. 348. Funds provided in this Act for the Transpor-*  
16 *tation Administrative Service Center (TASC) shall be re-*  
17 *duced by \$56,638,000, which limits fiscal year 2003 TASC*  
18 *obligational authority for elements of the Department of*  
19 *Transportation funded in this Act to no more than*  
20 *\$75,141,000: Provided, That such reductions from the budg-*  
21 *et request shall be allocated by the Department of Transpor-*  
22 *tation to each appropriations account in proportion to the*  
23 *amount included in each account for the Transportation*  
24 *Administrative Service Center.*

1        *SEC. 349. Funds appropriated or limited in this Act*  
2 *shall be subject to the terms and conditions stipulated in*  
3 *Section 350 of Public Law 107-87.*

4        *SEC. 350. (a) Notwithstanding any other provision of*  
5 *law, and subject to the requirements of this section, the Sec-*  
6 *retary of Transportation is authorized to waive any of the*  
7 *terms, conditions, reservations, and restrictions contained*  
8 *in the deeds of conveyance and subsequent corrections to the*  
9 *deeds of conveyance under which the United States conveyed*  
10 *certain property to Gadsden, Alabama, for airport pur-*  
11 *poses.*

12        *(b) No waiver may be granted under subsection (a)*  
13 *if the waiver would result in the closure of an airport.*

14        *(c) Any waiver granted by the Secretary of Transpor-*  
15 *tation under subsection (a) shall be subject to the following*  
16 *conditions:*

17            *(1) Gadsden, Alabama, shall agree that in sell-*  
18 *ing, leasing, or conveying any interest in, the prop-*  
19 *erty for which waivers are granted under subsection*  
20 *(a), the amount received by the city shall be used by*  
21 *the city for the development, improvement, operation,*  
22 *or maintenance of the Gadsden Municipal Airport.*

23            *(2) The city will dedicate to the airport fund*  
24 *that supports the Gadsden Municipal Airport an*  
25 *amount which is equal to the fair lease value or the*



1       *fair market value, as the case may be, of the property*  
2       *for which waivers are granted under subsection (a)*  
3       *unless any of the airport property was the subject of*  
4       *a taking and condemnation by the federal govern-*  
5       *ment.*

6       *SEC. 351. Section 1023(h) of the Intermodal Surface*  
7       *Transportation Efficiency Act of 1991 (23 U.S.C. 127 note;*  
8       *Public Law 102–240) is amended—*

9               *(1) in the subsection heading, by inserting*  
10              *“OVER-THE-ROAD BUSES AND” before “PUB-*  
11              *LIC”;* and

12              *(2) in paragraph (1), by striking “to any vehicle*  
13              *which” and inserting the following: “to—*

14                      *“(A) any over-the-road bus (as defined in*  
15                      *section 301 of the Americans with Disabilities*  
16                      *Act of 1990 (42 U.S.C. 12181)); or*

17                      *“(B) any vehicle that”.*

18       *SEC. 352. Notwithstanding any other provision of law,*  
19       *funds made available for construction of roads and a bridge*  
20       *to provide access to the Rose Bluff industrial area, Lake*  
21       *Charles, Louisiana, under section 149(a)(87) of the Surface*  
22       *Transportation and Uniform Relocation Assistance Act of*  
23       *1987 (101 Stat. 194; 109 Stat. 607) and item 17 of the*  
24       *table contained in section 1106(a)(2) of the Intermodal Sur-*  
25       *face Transportation Efficiency Act of 1991 (105 Stat. 2038)*

1 *shall be made available for the project in Lake Charles, Lou-*  
2 *isiana, consisting of—*

3 *(1) construction of Nelson Access Road to the*  
4 *Port of Lake Charles as described in item 1596 of the*  
5 *table contained in section 1602 of the Transportation*  
6 *Equity Act for the 21st Century (112 Stat. 315);*

7 *(2) reconstruction of Cove Lane; and*

8 *(3) planning, design, and construction of Port*  
9 *Access Road.*

10 *SEC. 353. Section 342 of the Department of Transpor-*  
11 *tation and Related Agencies Appropriations Act, 2002, is*  
12 *amended by striking “Passenger only ferry to serve Kitsap*  
13 *and King Counties to Seattle” and inserting “Ferry/tunnel*  
14 *project in Bremerton, Washington”.*

15 *SEC. 354. Section 343 of the Department of Transpor-*  
16 *tation and Related Agencies Appropriations Act, 2002, is*  
17 *amended by striking “Passenger only ferry to serve Kitsap*  
18 *and King Counties to Seattle” and inserting “Ferry/tunnel*  
19 *project in Bremerton, Washington”.*

20 *SEC. 355. In addition to amounts otherwise made*  
21 *available by this Act, there is hereby appropriated*  
22 *\$3,500,000, to remain available until expended, to enable*  
23 *the Secretary to maintain operations of the Midway Island*  
24 *airfield for a period of not less than one year beyond the*

1 *date at which the U.S. Fish and Wildlife Service ceases said*  
2 *operations.*

3       *SEC. 356. (a) COOPERATIVE AGREEMENT.—As soon as*  
4 *practicable after the date of enactment of this Act, the Ad-*  
5 *ministrator of the Environmental Protection Agency shall*  
6 *enter into a cooperative agreement with the National Acad-*  
7 *emy of Sciences to evaluate the impact of the final rule re-*  
8 *lating to prevention of significant deterioration and non-*  
9 *attainment new source review, published at 67 Fed. Reg.*  
10 *80186 (December 31, 2002). The study shall include—*

11           *(1) increases or decreases in emissions of pollut-*  
12           *ants regulated under the New Source Review pro-*  
13           *gram;*

14           *(2) impacts on human health;*

15           *(3) pollution control and prevention technologies*  
16 *installed after the effective date of the rule at facilities*  
17 *covered under the rulemaking;*

18           *(4) increases or decreases in efficiency of oper-*  
19 *ations, including energy efficiency, at covered facili-*  
20 *ties; and*

21           *(5) other relevant data.*

22       *(b) DEADLINE.—The NAS shall submit an interim re-*  
23 *port to Congress no later than March 3, 2004, and shall*  
24 *submit a final report on implementation of the rules.*

1       *SEC. 357. Section 145(c) of Public Law 107–71 is*  
2 *amended by striking the number (18) and inserting the*  
3 *number (36).*

4       *SEC. 358. SUSQUEHANNA GREENWAY, MARYLAND. The*  
5 *table contained in section 1602 of the Transportation Eq-*  
6 *uity Act for the 21st Century is amended in item 1603 (112*  
7 *Stat. 316) by striking “Construct pedestrian bicycle bridge*  
8 *across Susquehanna River between Havre de Grace and*  
9 *Perryville” and inserting “Develop Lower Susquehanna*  
10 *Heritage Greenway, including acquisition of property, con-*  
11 *struction of hiker-biker trails, and construction or use of*  
12 *docks, ferry boats, bridges, or vans to convey bikers and pe-*  
13 *destrians across the Susquehanna River between Cecil*  
14 *County and Harford County”.*

15       *This division may be cited as the “Department of*  
16 *Transportation and Related Agencies Appropriations Act,*  
17 *2003”.*

1            *DIVISION J—TREASURY AND GENERAL*  
2            *GOVERNMENT APPROPRIATIONS, 2003*

3 *Making appropriations for the Treasury Department, the*  
4 *United States Postal Service, the Executive Office of*  
5 *the President, and certain Independent Agencies, for*  
6 *the fiscal year ending September 30, 2003, and for*  
7 *other purposes.*

8 *That the following sums are appropriated, out of any*  
9 *money in the Treasury not otherwise appropriated, for the*  
10 *Treasury Department, the United States Postal Service, the*  
11 *Executive Office of the President, and certain Independent*  
12 *Agencies, for the fiscal year ending September 30, 2003, and*  
13 *for other purposes, namely:*

14            *TITLE I—DEPARTMENT OF THE TREASURY*

15                            *DEPARTMENTAL OFFICES*

16                            *SALARIES AND EXPENSES*

17                            *(INCLUDING TRANSFER OF FUNDS)*

18            *For necessary expenses of the Departmental Offices in-*  
19 *cluding operation and maintenance of the Treasury Build-*  
20 *ing and Annex; hire of passenger motor vehicles; mainte-*  
21 *nance, repairs, and improvements of, and purchase of com-*  
22 *mercial insurance policies for, real properties leased or*  
23 *owned overseas, when necessary for the performance of offi-*  
24 *cial business; not to exceed \$3,500,000 for official travel ex-*  
25 *penses; not to exceed \$3,813,000, to remain available until*  
26 *expended for information technology modernization require-*

1 ments; not to exceed \$150,000 for official reception and rep-  
2 resentation expenses; not to exceed \$258,000 for unforeseen  
3 emergencies of a confidential nature, to be allocated and  
4 expended under the direction of the Secretary of the Treas-  
5 ury and to be accounted for solely on his certificate,  
6 \$191,887,000: Provided, That the Office of Foreign Assets  
7 Control shall be funded at no less than \$21,206,000 and  
8 120 full time equivalent positions: Provided further, That  
9 of these amounts \$2,900,000 is available for grants to State  
10 and local law enforcement groups to help fight money laun-  
11 dering: Provided further, That of these amounts, \$5,893,000  
12 shall be for the Treasury-wide Financial Statement Audit  
13 Program, of which such amounts as may be necessary may  
14 be transferred to accounts of the Department's offices and  
15 bureaus to conduct audits: Provided further, That this  
16 transfer authority shall be in addition to any other pro-  
17 vided in this Act.

18 *DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS*

19 *PROGRAMS*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For development and acquisition of automatic data*  
22 *processing equipment, software, and services for the Depart-*  
23 *ment of the Treasury, \$68,828,000, to remain available*  
24 *until expended: Provided, That these funds shall be trans-*  
25 *ferred to accounts and in amounts as necessary to satisfy*  
26 *the requirements of the Department's offices, bureaus, and*

1 *other organizations: Provided further, That this transfer*  
 2 *authority shall be in addition to any other transfer author-*  
 3 *ity provided in this Act: Provided further, That none of*  
 4 *the funds appropriated shall be used to support or supple-*  
 5 *ment the Internal Revenue Service appropriations for In-*  
 6 *formation Systems or Business Systems Modernization.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Office of Inspector Gen-*  
 10 *eral in carrying out the provisions of the Inspector General*  
 11 *Act of 1978, as amended, not to exceed \$2,000,000 for offi-*  
 12 *cial travel expenses, including hire of passenger motor vehi-*  
 13 *cles; and not to exceed \$100,000 for unforeseen emergencies*  
 14 *of a confidential nature, to be allocated and expended under*  
 15 *the direction of the Inspector General of the Treasury,*  
 16 *\$35,424,000, of which not to exceed \$2,500 shall be available*  
 17 *for official reception and representation expenses.*

18 *TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the Treasury Inspector Gen-*  
 21 *eral for Tax Administration in carrying out the Inspector*  
 22 *General Act of 1978, as amended, including purchase (not*  
 23 *to exceed 150 for replacement only for police-type use) and*  
 24 *hire of passenger motor vehicles (31 U.S.C. 1343(b)); serv-*  
 25 *ices authorized by 5 U.S.C. 3109, at such rates as may be*  
 26 *determined by the Inspector General for Tax Administra-*

1 *tion; not to exceed \$6,000,000 for official travel expenses;*  
 2 *and not to exceed \$500,000 for unforeseen emergencies of*  
 3 *a confidential nature, to be allocated and expended under*  
 4 *the direction of the Inspector General for Tax Administra-*  
 5 *tion, \$123,962,000.*

6 *AIR TRANSPORTATION STABILIZATION PROGRAM*

7 *For necessary expenses to administer the Air Trans-*  
 8 *portation Stabilization Board established by section 102 of*  
 9 *the Air Transportation Safety and System Stabilization*  
 10 *Act (Public Law 107-42), \$6,041,000, to remain available*  
 11 *until expended.*

12 *TREASURY BUILDING AND ANNEX REPAIR AND*  
 13 *RESTORATION*

14 *For the repair, alteration, and improvement of the*  
 15 *Treasury Building and Annex, \$30,932,000, to remain*  
 16 *available until expended.*

17 *EXPANDED ACCESS TO FINANCIAL SERVICES*  
 18 *(INCLUDING TRANSFER OF FUNDS)*

19 *To develop and implement programs to expand access*  
 20 *to financial services for low- and moderate-income individ-*  
 21 *uals, \$2,000,000, such funds to become available upon au-*  
 22 *thorization of this program as provided by law and to re-*  
 23 *main available until expended: Provided, That of these*  
 24 *funds, such sums as may be necessary may be transferred*  
 25 *to accounts of the Department's offices, bureaus, and other*  
 26 *organizations: Provided further, That this transfer author-*



1 *ity shall be in addition to any other transfer authority pro-*  
2 *vided in this Act.*

3 *COUNTERTERRORISM FUND*

4 *For necessary expenses, as determined by the Sec-*  
5 *retary, \$20,000,000, to remain available until expended, to*  
6 *reimburse any Department of the Treasury organization for*  
7 *the costs of providing support to counter, investigate, or*  
8 *prosecute unexpected threats or acts of terrorism, including*  
9 *payment of rewards in connection with these activities: Pro-*  
10 *vided, That use of such funds shall be subject to prior ap-*  
11 *proval of the Committees on Appropriations in accordance*  
12 *with guidelines for reprogramming and transfer of funds.*

13 *FINANCIAL CRIMES ENFORCEMENT NETWORK*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Financial Crimes En-*  
16 *forcement Network, including hire of passenger motor vehi-*  
17 *cles; travel expenses of non-Federal law enforcement per-*  
18 *sonnel to attend meetings concerned with financial intel-*  
19 *ligence activities, law enforcement, and financial regula-*  
20 *tion; not to exceed \$14,000 for official reception and rep-*  
21 *resentation expenses; and for assistance to Federal law en-*  
22 *forcement agencies, with or without reimbursement,*  
23 *\$50,517,000, of which not to exceed \$3,400,000 shall remain*  
24 *available until September 30, 2005; and of which*  
25 *\$8,338,000 shall remain available until September 30,*

1 *2004: Provided, That funds appropriated in this account*  
2 *may be used to procure personal services contracts.*

3 *FEDERAL LAW ENFORCEMENT TRAINING CENTER*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Federal Law Enforce-*  
6 *ment Training Center, as a bureau of the Department of*  
7 *the Treasury, including materials and support costs of Fed-*  
8 *eral law enforcement basic training; purchase (not to exceed*  
9 *52 for police-type use, without regard to the general pur-*  
10 *chase price limitation) and hire of passenger motor vehicles;*  
11 *for expenses for student athletic and related activities; uni-*  
12 *forms without regard to the general purchase price limita-*  
13 *tion for the current fiscal year; the conducting of and par-*  
14 *ticipating in firearms matches and presentation of awards;*  
15 *for public awareness and enhancing community support of*  
16 *law enforcement training; not to exceed \$11,500 for official*  
17 *reception and representation expenses; room and board for*  
18 *student interns; and services as authorized by 5 U.S.C.*  
19 *3109, \$126,660,000, of which \$650,000 shall be available*  
20 *for an interagency effort to establish written standards on*  
21 *accreditation of Federal law enforcement training; and of*  
22 *which up to \$24,266,000 for materials and support costs*  
23 *of Federal law enforcement basic training shall remain*  
24 *available until September 30, 2005, and of which up to 20*  
25 *percent of the \$24,266,000 also shall be available for travel,*

1 room and board costs for participating agency basic train-  
2 ing during the first quarter of a fiscal year, subject to full  
3 reimbursement by the benefitting agency: Provided, That  
4 the Center is authorized to accept and use gifts of property,  
5 both real and personal, and to accept services, for author-  
6 ized purposes, including funding of a gift of intrinsic value  
7 which shall be awarded annually by the Director of the Cen-  
8 ter to the outstanding student who graduated from a basic  
9 training program at the Center during the previous fiscal  
10 year, which shall be funded only by gifts received through  
11 the Center's gift authority: Provided further, That the Cen-  
12 ter is authorized to accept detailees from other Federal  
13 agencies, on a non-reimbursable basis, to staff the accredita-  
14 tion function: Provided further, That notwithstanding any  
15 other provision of law, students attending training at any  
16 Center site shall reside in on-Center or Center-provided  
17 housing, insofar as available and in accordance with Center  
18 policy: Provided further, That funds appropriated in this  
19 account shall be available, at the discretion of the Director,  
20 for the following: training United States Postal Service law  
21 enforcement personnel and Postal police officers; State and  
22 local government law enforcement training on a space-  
23 available basis; training of foreign law enforcement officials  
24 on a space-available basis with reimbursement of actual  
25 costs to this appropriation, except that reimbursement may

1 *be waived by the Secretary for law enforcement training*  
2 *activities in foreign countries undertaken pursuant to sec-*  
3 *tion 801 of the Antiterrorism and Effective Death Penalty*  
4 *Act of 1996, (Public Law 104–32); training of private sec-*  
5 *tor security officials on a space-available basis with reim-*  
6 *bursement of actual costs to this appropriation; and travel*  
7 *expenses of non-Federal personnel to attend course develop-*  
8 *ment meetings and training sponsored by the Center: Pro-*  
9 *vided further, That the Center is authorized to obligate*  
10 *funds in anticipation of reimbursements from agencies re-*  
11 *ceiving training sponsored by the Center, except that total*  
12 *obligations at the end of the fiscal year shall not exceed total*  
13 *budgetary resources available at the end of the fiscal year:*  
14 *Provided further, That the Center is authorized to provide*  
15 *training for the Gang Resistance Education and Training*  
16 *program to Federal and non-Federal personnel at any facil-*  
17 *ity in partnership with the Bureau of Alcohol, Tobacco and*  
18 *Firearms: Provided further, That the Center is authorized*  
19 *to provide short-term medical services for students under-*  
20 *going training at the Center.*

21 *ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND*

22 *RELATED EXPENSES*

23 *For expansion of the Federal Law Enforcement Train-*  
24 *ing Center, for acquisition of necessary additional real*  
25 *property and facilities, and for ongoing maintenance, facil-*

1 *ity improvements, and related expenses, \$32,029,000, to re-*  
2 *main available until expended.*

3 *INTERAGENCY LAW ENFORCEMENT*

4 *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

5 *For expenses necessary to conduct investigations and*  
6 *convict offenders involved in organized crime drug traf-*  
7 *ficking, including cooperative efforts with State and local*  
8 *law enforcement, as it relates to the Treasury Department*  
9 *law enforcement violations such as money laundering, vio-*  
10 *lent crime, and smuggling, \$107,576,000.*

11 *FINANCIAL MANAGEMENT SERVICE*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Financial Management*  
14 *Service, \$220,664,000, of which not to exceed \$9,220,000*  
15 *shall remain available until September 30, 2005, for infor-*  
16 *mation systems modernization initiatives; and of which not*  
17 *to exceed \$2,500 shall be available for official reception and*  
18 *representation expenses.*

19 *BUREAU OF ALCOHOL, TOBACCO AND FIREARMS*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Bureau of Alcohol, To-*  
22 *bacco and Firearms, including purchase of not to exceed*  
23 *822 vehicles for police-type use, of which 650 shall be for*  
24 *replacement only, and hire of passenger motor vehicles; hire*  
25 *of aircraft; services of expert witnesses at such rates as may*

1 *be determined by the Director; for payment of per diem*  
2 *and/or subsistence allowances to employees where a major*  
3 *investigative assignment requires an employee to work 16*  
4 *hours or more per day or to remain overnight at his or*  
5 *her post of duty; not to exceed \$20,000 for official reception*  
6 *and representation expenses; for training of State and local*  
7 *law enforcement agencies with or without reimbursement,*  
8 *including training in connection with the training and ac-*  
9 *quisition of canines for explosives and fire accelerants detec-*  
10 *tion; not to exceed \$50,000 for cooperative research and de-*  
11 *velopment programs for Laboratory Services and Fire Re-*  
12 *search Center activities; and provision of laboratory assist-*  
13 *ance to State and local agencies, with or without reimburse-*  
14 *ment, \$888,430,000, of which not to exceed \$1,000,000 shall*  
15 *be available for the payment of attorneys' fees as provided*  
16 *by 18 U.S.C. 924(d)(2); of which up to \$2,000,000 shall*  
17 *be available for the equipping of any vessel, vehicle, equip-*  
18 *ment, or aircraft available for official use by a State or*  
19 *local law enforcement agency if the conveyance will be used*  
20 *in joint law enforcement operations with the Bureau of Al-*  
21 *cohol, Tobacco and Firearms and for the payment of over-*  
22 *time salaries including Social Security and Medicare, trav-*  
23 *el, fuel, training, equipment, supplies, and other similar*  
24 *costs of State and local law enforcement personnel, includ-*  
25 *ing sworn officers and support personnel, that are incurred*

1 *in joint operations with the Bureau of Alcohol, Tobacco and*  
2 *Firearms; of which \$13,000,000, to remain available until*  
3 *expended, shall be available for disbursements through*  
4 *grants, cooperative agreements or contracts to local govern-*  
5 *ments for Gang Resistance Education and Training; and*  
6 *of which \$3,200,000 for a new headquarters shall remain*  
7 *available until September 30, 2004: Provided, That no*  
8 *funds appropriated herein shall be available for salaries or*  
9 *administrative expenses in connection with consolidating or*  
10 *centralizing, within the Department of the Treasury, the*  
11 *records, or any portion thereof, of acquisition and disposi-*  
12 *tion of firearms maintained by Federal firearms licensees:*  
13 *Provided further, That no funds appropriated herein shall*  
14 *be used to pay administrative expenses or the compensation*  
15 *of any officer or employee of the United States to implement*  
16 *an amendment or amendments to 27 CFR 178.118 or to*  
17 *change the definition of "Curios or relics" in 27 CFR*  
18 *178.11 or remove any item from ATF Publication 5300.11*  
19 *as it existed on January 1, 1994: Provided further, That*  
20 *none of the funds appropriated herein shall be available to*  
21 *investigate or act upon applications for relief from Federal*  
22 *firearms disabilities under 18 U.S.C. 925(c): Provided fur-*  
23 *ther, That such funds shall be available to investigate and*  
24 *act upon applications filed by corporations for relief from*  
25 *Federal firearms disabilities under 18 U.S.C. 925(c): Pro-*

1 *vided further, That no funds under this Act may be used*  
2 *to electronically retrieve information gathered pursuant to*  
3 *18 U.S.C. 923(g)(4) by name or any personal identification*  
4 *code.*

5 *UNITED STATES CUSTOMS SERVICE*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the United States Customs*  
8 *Service, including purchase and lease of up to 1,500 motor*  
9 *vehicles of which 550 are for replacement only and of which*  
10 *1,465 are for police-type use and commercial operations;*  
11 *hire of motor vehicles; contracting with individuals for per-*  
12 *sonal services abroad; not to exceed \$40,000 for official re-*  
13 *ception and representation expenses; and awards of com-*  
14 *pensation to informers, as authorized by any Act enforced*  
15 *by the United States Customs Service, \$2,501,488,000, of*  
16 *which such sums as become available in the Customs User*  
17 *Fee Account, except sums subject to section 13031(f)(3) of*  
18 *the Consolidated Omnibus Budget Reconciliation Act of*  
19 *1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived*  
20 *from that Account; of the total, not to exceed \$150,000 shall*  
21 *be available for payment for rental space in connection with*  
22 *preclearance operations; not to exceed \$4,000,000 shall be*  
23 *available until expended for research; not less than*  
24 *\$100,000 shall be available to promote public awareness of*  
25 *the child pornography tipline; not less than \$200,000 shall*



1 *be available for Project Alert; not to exceed \$5,000,000 shall*  
2 *be available until expended for conducting special oper-*  
3 *ations pursuant to 19 U.S.C. 2081; not to exceed \$8,000,000*  
4 *shall be available until expended for the procurement of au-*  
5 *tomation infrastructure items, including hardware, soft-*  
6 *ware, and installation; and not to exceed \$5,000,000 shall*  
7 *be available until expended for repairs to Customs facilities:*  
8 *Provided, That of the total amount of funds made available*  
9 *for forced child labor activities in fiscal year 2003, not to*  
10 *exceed \$5,000,000 shall remain available until expended for*  
11 *operations and support of such activities: Provided further,*  
12 *That uniforms may be purchased without regard to the gen-*  
13 *eral purchase price limitation for the current fiscal year:*  
14 *Provided further, That notwithstanding any other provision*  
15 *of law, the fiscal year aggregate overtime limitation pre-*  
16 *scribed in subsection 5(c)(1) of the Act of February 13, 1911*  
17 *(19 U.S.C. 261 and 267) shall be \$30,000.*

18 *HARBOR MAINTENANCE FEE COLLECTION*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For administrative expenses related to the collection*  
21 *of the Harbor Maintenance Fee, pursuant to Public Law*  
22 *103–182, \$3,000,000, to be derived from the Harbor Mainte-*  
23 *nance Trust Fund and to be transferred to and merged with*  
24 *the Customs “Salaries and Expenses” account for such pur-*  
25 *poses.*

1    *OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND*  
2                                    *MARINE INTERDICTION PROGRAMS*

3           *For expenses, not otherwise provided for, necessary for*  
4 *the operation and maintenance of marine vessels, aircraft,*  
5 *and other related equipment of the Air and Marine Pro-*  
6 *grams, including operational training and mission-related*  
7 *travel, and rental payments for facilities occupied by the*  
8 *air or marine interdiction and demand reduction pro-*  
9 *grams, the operations of which include the following: the*  
10 *interdiction of narcotics and other goods; the provision of*  
11 *support to Customs and other Federal, State, and local*  
12 *agencies in the enforcement or administration of laws en-*  
13 *forced by the Customs Service; and, at the discretion of the*  
14 *Commissioner of Customs, the provision of assistance to*  
15 *Federal, State, and local agencies in other law enforcement*  
16 *and emergency humanitarian efforts, \$177,829,000, which*  
17 *shall remain available until expended: Provided, That no*  
18 *aircraft or other related equipment, with the exception of*  
19 *aircraft which is one of a kind and has been identified as*  
20 *excess to Customs requirements and aircraft which has been*  
21 *damaged beyond repair, shall be transferred to any other*  
22 *Federal agency, department, or office outside of the Depart-*  
23 *ment of the Treasury, during fiscal year 2003 without the*  
24 *prior approval of the Committees on Appropriations.*

## AUTOMATION MODERNIZATION

1  
2       *For expenses not otherwise provided for Customs auto-*  
3 *mated systems, \$435,332,000, to remain available until ex-*  
4 *pended, of which not less than \$312,900,000 shall be for*  
5 *the development of the Automated Commercial Environ-*  
6 *ment: Provided, That none of the funds appropriated under*  
7 *this heading may be obligated for the Automated Commer-*  
8 *cial Environment until the United States Customs Service*  
9 *prepares and submits to the Committees on Appropriations*  
10 *a plan for expenditure that: (1) meets the capital planning*  
11 *and investment control review requirements established by*  
12 *the Office of Management and Budget, including OMB Cir-*  
13 *cular A-11, part 3; (2) complies with the United States*  
14 *Customs Service's Enterprise Information Systems Archi-*  
15 *itecture; (3) complies with the acquisition rules, require-*  
16 *ments, guidelines, and systems acquisition management*  
17 *practices of the Federal Government; (4) is reviewed and*  
18 *approved by the Customs Investment Review Board, the De-*  
19 *partment of the Treasury, and the Office of Management*  
20 *and Budget; and (5) is reviewed by the General Accounting*  
21 *Office: Provided further, That none of the funds appro-*  
22 *priated under this heading may be obligated for the Auto-*  
23 *mated Commercial Environment until such expenditure*  
24 *plan has been approved by the Committees on Appropria-*  
25 *tions.*

1 *UNITED STATES MINT*2 *UNITED STATES MINT PUBLIC ENTERPRISE FUND*

3 *Pursuant to section 5136 of title 31, United States*  
4 *Code, the United States Mint is provided funding through*  
5 *the United States Mint Public Enterprise Fund for costs*  
6 *associated with the production of circulating coins, numis-*  
7 *matic coins, and protective services, including both oper-*  
8 *ating expenses and capital investments. The aggregate*  
9 *amount of new liabilities and obligations incurred during*  
10 *fiscal year 2003 under such section 5136 for circulating*  
11 *coinage and protective service capital investments of the*  
12 *United States Mint shall not exceed \$34,900,000.*

13 *BUREAU OF THE PUBLIC DEBT*14 *ADMINISTERING THE PUBLIC DEBT*

15 *For necessary expenses connected with any public-debt*  
16 *issues of the United States, \$195,473,000, of which not to*  
17 *exceed \$2,500 shall be available for official reception and*  
18 *representation expenses, and of which not to exceed*  
19 *\$2,000,000 shall remain available until expended for sys-*  
20 *tems modernization: Provided, That the sum appropriated*  
21 *herein from the General Fund for fiscal year 2003 shall be*  
22 *reduced by not more than \$4,400,000 as definitive security*  
23 *issue fees and Treasury Direct Investor Account Mainte-*  
24 *nance fees are collected, so as to result in a final fiscal year*  
25 *2003 appropriation from the General Fund estimated at*

1 \$191,073,000. In addition, \$40,000 to be derived from the  
2 Oil Spill Liability Trust Fund to reimburse the Bureau  
3 for administrative and personnel expenses for financial  
4 management of the Fund, as authorized by section 1012 of  
5 Public Law 101-380.

6 *INTERNAL REVENUE SERVICE*

7 *PROCESSING, ASSISTANCE, AND MANAGEMENT*

8 *For necessary expenses of the Internal Revenue Service*  
9 *for pre-filing taxpayer assistance and education, filing and*  
10 *account services, shared services support, general manage-*  
11 *ment and administration; and services as authorized by 5*  
12 *U.S.C. 3109, at such rates as may be determined by the*  
13 *Commissioner, \$3,955,777,000, of which up to \$3,950,000*  
14 *shall be for the Tax Counseling for the Elderly Program,*  
15 *of which \$7,000,000 shall be available for low-income tax-*  
16 *payer clinic grants, and of which not to exceed \$25,000*  
17 *shall be for official reception and representation expenses.*

18 *TAX LAW ENFORCEMENT*

19 *For necessary expenses of the Internal Revenue Service*  
20 *for determining and establishing tax liabilities; providing*  
21 *litigation support; conducting criminal investigation and*  
22 *enforcement activities; securing unfiled tax returns; col-*  
23 *lecting unpaid accounts; conducting a document matching*  
24 *program; resolving taxpayer problems through prompt*  
25 *identification, referral and settlement; compiling statistics*  
26 *of income and conducting compliance research; purchase*

1 *(for police-type use, not to exceed 850) and hire of passenger*  
2 *motor vehicles (31 U.S.C. 1343(b)); and services as author-*  
3 *ized by 5 U.S.C. 3109, at such rates as may be determined*  
4 *by the Commissioner, \$3,729,072,000, of which not to exceed*  
5 *\$1,000,000 shall remain available until September 30,*  
6 *2005, for research, and of which \$60,000,000 shall be used*  
7 *to combat abusive tax shelters.*

8 *EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE*

9 *For funding essential earned income tax credit compli-*  
10 *ance and error reduction initiatives, \$146,000,000, of which*  
11 *not to exceed \$10,000,000 may be used to reimburse the So-*  
12 *cial Security Administration for the costs of implementing*  
13 *section 1090 of the Taxpayer Relief Act of 1997.*

14 *INFORMATION SYSTEMS*

15 *For necessary expenses of the Internal Revenue Service*  
16 *for information systems and telecommunications support,*  
17 *including developmental information systems and oper-*  
18 *ational information systems; the hire of passenger motor ve-*  
19 *hicles (31 U.S.C. 1343(b)); and services as authorized by*  
20 *5 U.S.C. 3109, at such rates as may be determined by the*  
21 *Commissioner, \$1,632,444,000, which shall remain avail-*  
22 *able until September 30, 2004.*

23 *BUSINESS SYSTEMS MODERNIZATION*

24 *For necessary expenses of the Internal Revenue Serv-*  
25 *ice, \$436,000,000, to remain available until September 30,*  
26 *2005, for the capital asset acquisition of information tech-*

1 *nology systems, including management and related contrac-*  
 2 *tual costs of said acquisitions, including contractual costs*  
 3 *associated with operations authorized by 5 U.S.C. 3109:*  
 4 *Provided, That none of these funds may be obligated until*  
 5 *the Internal Revenue Service submits to the Committees on*  
 6 *Appropriations, and such Committees approve, a plan for*  
 7 *expenditure that: (1) meets the capital planning and invest-*  
 8 *ment control review requirements established by the Office*  
 9 *of Management and Budget, including Circular A-11 part*  
 10 *3; (2) complies with the Internal Revenue Service's enter-*  
 11 *prise architecture, including the modernization blueprint;*  
 12 *(3) conforms with the Internal Revenue Service's enterprise*  
 13 *life cycle methodology; (4) is approved by the Internal Rev-*  
 14 *enue Service, the Department of the Treasury, and the Of-*  
 15 *fice of Management and Budget; (5) has been reviewed by*  
 16 *the General Accounting Office; and (6) complies with the*  
 17 *acquisition rules, requirements, guidelines, and systems ac-*  
 18 *quisition management practices of the Federal Government.*

19 *ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE*

20 *SERVICE*

21 *SEC. 101. Not to exceed 5 percent of any appropriation*  
 22 *made available in this Act to the Internal Revenue Service*  
 23 *may be transferred to any other Internal Revenue Service*  
 24 *appropriation upon the advance approval of the Commit-*  
 25 *tees on Appropriations.*

1       *SEC. 102. The Internal Revenue Service shall main-*  
2 *tain a training program to ensure that Internal Revenue*  
3 *Service employees are trained in taxpayers' rights, in deal-*  
4 *ing courteously with the taxpayers, and in cross-cultural*  
5 *relations.*

6       *SEC. 103. The Internal Revenue Service shall institute*  
7 *and enforce policies and procedures that will safeguard the*  
8 *confidentiality of taxpayer information.*

9       *SEC. 104. Funds made available by this or any other*  
10 *Act to the Internal Revenue Service shall be available for*  
11 *improved facilities and increased manpower to provide suf-*  
12 *ficient and effective 1-800 help line service for taxpayers.*  
13 *The Commissioner shall continue to make the improvement*  
14 *of the Internal Revenue Service 1-800 help line service a*  
15 *priority and allocate resources necessary to increase phone*  
16 *lines and staff to improve the Internal Revenue Service 1-*  
17 *800 help line service.*

18                                   *UNITED STATES SECRET SERVICE*

19                                   *SALARIES AND EXPENSES*

20       *For necessary expenses of the United States Secret*  
21 *Service, including purchase of not to exceed 610 vehicles*  
22 *for police-type use for replacement only, and hire of pas-*  
23 *senger motor vehicles; purchase of American-made side-car*  
24 *compatible motorcycles; hire of aircraft; training and as-*  
25 *sistance requested by State and local governments, which*



1 *may be provided without reimbursement; services of expert*  
2 *witnesses at such rates as may be determined by the Direc-*  
3 *tor; rental of buildings in the District of Columbia, and*  
4 *fencing, lighting, guard booths, and other facilities on pri-*  
5 *vate or other property not in Government ownership or con-*  
6 *trol, as may be necessary to perform protective functions;*  
7 *for payment of per diem and/or subsistence allowances to*  
8 *employees where a protective assignment during the actual*  
9 *day or days of the visit of a protectee require an employee*  
10 *to work 16 hours per day or to remain overnight at his*  
11 *or her post of duty; the conducting of and participating*  
12 *in firearms matches; presentation of awards; for travel of*  
13 *Secret Service employees on protective missions without re-*  
14 *gard to the limitations on such expenditures in this or any*  
15 *other Act if approval is obtained in advance from the Com-*  
16 *mittees on Appropriations; for research and development;*  
17 *for making grants to conduct behavioral research in support*  
18 *of protective research and operations; not to exceed \$25,000*  
19 *for official reception and representation expenses; not to ex-*  
20 *ceed \$100,000 to provide technical assistance and equip-*  
21 *ment to foreign law enforcement organizations in counter-*  
22 *feit investigations; for payment in advance for commercial*  
23 *accommodations as may be necessary to perform protective*  
24 *functions; and for uniforms without regard to the general*  
25 *purchase price limitation for the current fiscal year,*

1 \$1,010,817,000, of which \$1,633,000 shall be available for  
2 forensic and related support of investigations of missing  
3 and exploited children, and of which \$3,749,000 shall be  
4 available as a grant for activities related to the investiga-  
5 tions of exploited children and shall remain available until  
6 expended: Provided, That up to \$18,000,000 provided for  
7 protective travel shall remain available until September 30,  
8 2004.

9 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND

10 RELATED EXPENSES

11 For necessary expenses of construction, repair, alter-  
12 ation, and improvement of facilities, \$3,519,000, to remain  
13 available until expended.

14 GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

15 SEC. 110. Any obligation or expenditure by the Sec-  
16 retary of the Treasury in connection with law enforcement  
17 activities of a Federal agency or a Department of the Treas-  
18 ury law enforcement organization in accordance with 31  
19 U.S.C. 9703(g)(4)(B) from unobligated balances remaining  
20 in the Fund on September 30, 2003, shall be made in com-  
21 pliance with reprogramming guidelines.

22 SEC. 111. Appropriations to the Department of the  
23 Treasury in this Act shall be available for uniforms or al-  
24 lowances therefor, as authorized by law (5 U.S.C. 5901),  
25 including maintenance, repairs, and cleaning; purchase of  
26 insurance for official motor vehicles operated in foreign

1 countries; purchase of motor vehicles without regard to the  
2 general purchase price limitations for vehicles purchased  
3 and used overseas for the current fiscal year; entering into  
4 contracts with the Department of State for the furnishing  
5 of health and medical services to employees and their de-  
6 pendants serving in foreign countries; and services author-  
7 ized by 5 U.S.C. 3109.

8       *SEC. 112. The funds provided to the Bureau of Alcohol,*  
9 *Tobacco and Firearms for fiscal year 2003 in this Act for*  
10 *the enforcement of the Federal Alcohol Administration Act*  
11 *shall be expended in a manner so as not to diminish en-*  
12 *forcement efforts with respect to section 105 of the Federal*  
13 *Alcohol Administration Act.*

14       *SEC. 113. Not to exceed 2 percent of any appropria-*  
15 *tions in this Act made available to the Federal Law En-*  
16 *forcement Training Center, Financial Crimes Enforcement*  
17 *Network, Bureau of Alcohol, Tobacco and Firearms, United*  
18 *States Customs Service, Interagency Crime and Drug En-*  
19 *forcement, and United States Secret Service may be trans-*  
20 *ferred between such appropriations upon the advance ap-*  
21 *proval of the Committees on Appropriations. No transfer*  
22 *may increase or decrease any such appropriation by more*  
23 *than 2 percent.*

24       *SEC. 114. Not to exceed 2 percent of any appropria-*  
25 *tions in this Act made available to the Departmental Of-*

1 *fices—Salaries and Expenses, Office of Inspector General,*  
2 *Treasury Inspector General for Tax Administration, Fi-*  
3 *ncial Management Service, and Bureau of the Public*  
4 *Debt, may be transferred between such appropriations upon*  
5 *the advance approval of the Committees on Appropriations.*  
6 *No transfer may increase or decrease any such appropri-*  
7 *ation by more than 2 percent.*

8       *SEC. 115. Not to exceed 2 percent of any appropriation*  
9 *made available in this Act to the Internal Revenue Service*  
10 *may be transferred to the Treasury Inspector General for*  
11 *Tax Administration’s appropriation upon the advance ap-*  
12 *proval of the Committees on Appropriations. No transfer*  
13 *may increase or decrease any such appropriation by more*  
14 *than 2 percent.*

15       *SEC. 116. Of the funds available for the purchase of*  
16 *law enforcement vehicles, no funds may be obligated until*  
17 *the Secretary of the Treasury certifies that the purchase by*  
18 *the respective Treasury bureau is consistent with Depart-*  
19 *mental vehicle management principles: Provided, That the*  
20 *Secretary may delegate this authority to the Assistant Sec-*  
21 *retary for Management.*

22       *SEC. 117. None of the funds appropriated in this Act*  
23 *or otherwise available to the Department of the Treasury*  
24 *or the Bureau of Engraving and Printing may be used to*  
25 *redesign the \$1 Federal Reserve note.*

1       *SEC. 118. The Secretary of the Treasury may transfer*  
2 *funds from “Salaries and Expenses”, Financial Manage-*  
3 *ment Service, to the Debt Services Account as necessary to*  
4 *cover the costs of debt collection: Provided, That such*  
5 *amounts shall be reimbursed to such Salaries and Expenses*  
6 *account from debt collections received in the Debt Services*  
7 *Account.*

8       *SEC. 119. Section 122(g)(1) of Public Law 105–119*  
9 *(5 U.S.C. 3104 note), is further amended by striking “4*  
10 *years” and inserting “5 years”.*

11       *SEC. 120. None of the funds appropriated or otherwise*  
12 *made available by this or any other Act may be used by*  
13 *the United States Mint to construct or operate any museum*  
14 *without the advance notification of the House Committee*  
15 *on Financial Services and the Senate Committee on Bank-*  
16 *ing, Housing, and Urban Affairs.*

17       *SEC. 121. None of the funds appropriated or made*  
18 *available by this Act may be used for the production of Cus-*  
19 *toms Declarations that do not inquire whether the passenger*  
20 *had been in the proximity of livestock.*

21       *SEC. 122. The Federal Law Enforcement Training*  
22 *Center is directed to establish an accrediting body that will*  
23 *include representatives from the Federal law enforcement*  
24 *community, as well as non-Federal accreditation experts*  
25 *involved in law enforcement training. The purpose of this*

1 *body will be to establish standards for measuring and as-*  
2 *sessing the quality and effectiveness of Federal law enforce-*  
3 *ment training programs, facilities, and instructors.*

4       *SEC. 123. The Treasury Department Appropriations*  
5 *Act, 1997 (as contained in section 101(f) of Division A of*  
6 *Public Law 104–208), under the heading “Treasury Fran-*  
7 *chise Fund”, as amended by section 120 of the Treasury*  
8 *Department Appropriations Act, 2001 (enacted pursuant to*  
9 *section 1(a)(3) of Public Law 106–554), is further amended*  
10 *by striking “until October 1, 2002”.*

11       *SEC. 124. LICENSE PROCEDURES FOR OFFICE OF*  
12 *FOREIGN ASSETS CONTROL. Notwithstanding any other*  
13 *provision of law, none of the funds appropriated to “De-*  
14 *partmental Offices, Salaries and Expenses” for use by the*  
15 *Office of Foreign Assets Control may be expended until the*  
16 *Office has in place with respect to the administration of*  
17 *licenses for travel the following procedures:*

18           (1) *All applications for licenses pertaining to*  
19 *travel-related transactions submitted to the Office of*  
20 *Foreign Assets Control shall be considered approved if*  
21 *not resolved within 90 calendar days after receipt of*  
22 *the completed license application.*

23           (2) *Whenever the Office decides to deny a license*  
24 *application pertaining to travel-related transactions,*

1       *the Office shall notify the applicant in writing. The*  
2       *notification will include:*

3               *(A) The statutory and regulatory basis for*  
4       *the denial;*

5               *(B) To the extent consistent with the na-*  
6       *tional security of the United States, the specific*  
7       *considerations that led to the decision to deny*  
8       *the license application and;*

9               *(C) The name, phone number, and e-mail*  
10       *address of the Office representative in a position*  
11       *to discuss the issues with the applicant.*

12               *(3) The above-outlined procedures shall be effec-*  
13       *tive 120 days from the date of enactment.*

14       *SEC. 125. (a) The Commissioner of Customs, in con-*  
15       *sultation with the Canadian Customs and Revenue Agency*  
16       *(CCRA), shall seek to establish Integrated Border Inspection*  
17       *Areas (IBIAs) on either side of the United States-Canada*  
18       *border in which United States Customs officers can inspect*  
19       *vehicles entering the United States from Canada before they*  
20       *enter the United States, or Canadian customs officers can*  
21       *inspect vehicles entering Canada from the United States be-*  
22       *fore they enter Canada.*

23               *(b) Using the authority granted under section 629(a)*  
24       *of the Tariff Act of 1930, the Commissioner of Customs, in*  
25       *consultation with the CCRA, shall endeavor to—*

1           (1) locate IBIA's in an area with bridges or tun-  
2           nels with high traffic volume, significant commercial  
3           activity, and that have experienced backups and  
4           delays since September 11, 2001;

5           (2) ensure that United States Customs officers  
6           stationed in any IBIA on the Canadian side of the  
7           border are vested with the maximum authority to  
8           carry out their duties and enforce United States law;  
9           and

10          (3) encourage appropriate officials of the United  
11          States to enter into an agreement with Canada per-  
12          mitting Canadian customs officers stationed in any  
13          IBIA on the United States side of the border to exer-  
14          cise the authority to enforce Canadian law as per-  
15          mitted by Canada.

16          (c) United States Customs officers stationed in an  
17          IBIA, on the Canadian side of the border, shall be afforded  
18          the same privileges and immunities for the performance of  
19          their duties as they would enjoy if they were stationed in  
20          the United States. Canadian customs officers stationed in  
21          an IBIA on the United States side of the border, shall be  
22          afforded the same privileges and immunities for the per-  
23          formance of their duties as they would enjoy if they were  
24          stationed in Canada.



1        *SEC. 126. AMENDMENT TO JOHN C. STENNIS CENTER*  
2 *FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT*  
3 *ACT.—For fiscal year 2003 and thereafter, section 116 of*  
4 *the John C. Stennis Center for Public Service Training and*  
5 *Development Act (2 U.S.C. 1105) is amended—*

6            *(1) by striking subsection (b) and inserting the*  
7 *following:*

8            *“(b) INVESTMENT OF FUND ASSETS.—*

9            *“(1) At the request of the Center, it shall be the*  
10 *duty of the Secretary of the Treasury to invest in full*  
11 *the amounts appropriated to the fund. Such invest-*  
12 *ments may be made only in interest-bearing obliga-*  
13 *tions of the United States issued directly to the fund.*

14            *“(2) The purposes for which obligations of the*  
15 *United States may be issued under chapter 31 of Title*  
16 *31 are hereby extended to authorize the issuance at*  
17 *par of special obligations directly to the fund. Such*  
18 *special obligations shall bear interest at a rate equal*  
19 *to the average rate of interest, computed as to the end*  
20 *of the calendar month next preceding the date of such*  
21 *issue, borne by all marketable interest-bearing obliga-*  
22 *tions of the United States then forming a part of the*  
23 *public debt; except that where such average rate is not*  
24 *a multiple of one-eighth of 1 per centum, the rate of*  
25 *interest of such special obligations shall be the mul-*

1        *tiple of one-eighth of 1 per centum next lower than*  
 2        *such average rate. All requests of the Center to the*  
 3        *Secretary of the Treasury provided for in this section*  
 4        *shall be binding upon the Secretary.”; and*

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

7                *“(c) AUTHORITY TO SELL OBLIGATIONS.—At the re-*  
 8        *quest of the Center, the Secretary of the Treasury shall re-*  
 9        *deem any obligation issued directly to the fund. Obligations*  
 10        *issued to the fund under subsection (b)(2) shall be redeemed*  
 11        *at par plus accrued interest. Any other obligations issued*  
 12        *directly to the fund shall be redeemed at the market price.”.*

13                *SEC. 127. AMENDMENT TO JAMES MADISON MEMO-*  
 14        *RIAL FELLOWSHIP ACT.—For fiscal year 2003 and there-*  
 15        *after, section 811 of the James Madison Memorial Fellow-*  
 16        *ship Act (20 U.S.C. 4510) is amended—*

17                *(1) by striking subsection (b) and inserting the*  
 18        *following:*

19                *“(b) INVESTMENT OF AMOUNTS APPROPRIATED.—*

20                *“(1) At the request of the Trust Fund, it shall be*  
 21        *the duty of the Secretary of the Treasury to invest in*  
 22        *full the amounts appropriated and contributed to the*  
 23        *fund. Such investments may be made only in interest-*  
 24        *bearing obligations of the United States issued di-*  
 25        *rectly to the fund.*

1           “(2) *The purposes for which obligations of the*  
2           *United States may be issued under chapter 31 of Title*  
3           *31 are hereby extended to authorize the issuance at*  
4           *par of special obligations directly to the fund. Such*  
5           *special obligations shall bear interest at a rate equal*  
6           *to the average rate of interest, computed as to the end*  
7           *of the calendar month next preceding the date of such*  
8           *issue, borne by all marketable interest-bearing obliga-*  
9           *tions of the United States then forming a part of the*  
10          *public debt; except that where such average rate is not*  
11          *a multiple of one-eighth of 1 per centum, the rate of*  
12          *interest of such special obligations shall be the mul-*  
13          *tiple of one-eighth of 1 per centum next lower than*  
14          *such average rate. All requests of the Trust Fund to*  
15          *the Secretary of the Treasury provided for in this sec-*  
16          *tion shall be binding upon the Secretary.”; and*

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

19                 “(c) *SALE OF OBLIGATIONS ACQUIRED BY FUND.—At*  
20                 *the request of the Trust Fund, the Secretary of the Treasury*  
21                 *shall redeem any obligation issued directly to the fund. Ob-*  
22                 *ligations issued to the fund under subsection (b)(2) shall*  
23                 *be redeemed at par plus accrued interest. Any other obliga-*  
24                 *tions issued directly to the fund shall be redeemed at the*  
25                 *market price.”.*

1        *This title may be cited as the “Treasury Department*  
2 *Appropriations Act, 2003”.*

3                                    *TITLE II—POSTAL SERVICE*

4                                    *PAYMENT TO THE POSTAL SERVICE FUND*

5        *For payment to the Postal Service Fund for revenue*  
6 *forgone on free and reduced rate mail, pursuant to sub-*  
7 *sections (c) and (d) of section 2401 of title 39, United States*  
8 *Code, \$60,014,000, of which \$31,014,000 shall not be avail-*  
9 *able for obligation until October 1, 2003: Provided, That*  
10 *mail for overseas voting and mail for the blind shall con-*  
11 *tinue to be free: Provided further, That 6-day delivery and*  
12 *rural delivery of mail shall continue at not less than the*  
13 *1983 level: Provided further, That none of the funds made*  
14 *available to the Postal Service by this Act shall be used to*  
15 *implement any rule, regulation, or policy of charging any*  
16 *officer or employee of any State or local child support en-*  
17 *forcement agency, or any individual participating in a*  
18 *State or local program of child support enforcement, a fee*  
19 *for information requested or provided concerning an ad-*  
20 *dress of a postal customer: Provided further, That none of*  
21 *the funds provided in this Act shall be used to consolidate*  
22 *or close small rural and other small post offices in fiscal*  
23 *year 2003.*

24        *This title may be cited as the “Postal Service Appro-*  
25 *priations Act, 2003”.*

1 *TITLE III—EXECUTIVE OFFICE OF THE PRESI-*  
2 *DENT AND FUNDS APPROPRIATED TO THE*  
3 *PRESIDENT*

4 *COMPENSATION OF THE PRESIDENT AND THE WHITE*  
5 *HOUSE OFFICE*

6 *COMPENSATION OF THE PRESIDENT*

7 *For compensation of the President, including an ex-*  
8 *pense allowance at the rate of \$50,000 per annum as au-*  
9 *thorized by 3 U.S.C. 102, \$450,000: Provided, That none*  
10 *of the funds made available for official expenses shall be*  
11 *expended for any other purpose and any unused amount*  
12 *shall revert to the Treasury pursuant to section 1552 of title*  
13 *31, United States Code: Provided further, That none of the*  
14 *funds made available for official expenses shall be consid-*  
15 *ered as taxable to the President.*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for the White House as author-*  
18 *ized by law, including not to exceed \$3,850,000 for services*  
19 *as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsist-*  
20 *ence expenses as authorized by 3 U.S.C. 105, which shall*  
21 *be expended and accounted for as provided in that section;*  
22 *hire of passenger motor vehicles, newspapers, periodicals,*  
23 *teletype news service, and travel (not to exceed \$100,000*  
24 *to be expended and accounted for as provided by 3 U.S.C.*  
25 *103); and not to exceed \$19,000 for official entertainment*  
26 *expenses, to be available for allocation within the Executive*

1 *Office of the President, \$59,735,000: Provided, That*  
2 *\$8,650,000 of the funds appropriated shall be available for*  
3 *reimbursements to the White House Communications Agen-*  
4 *cy.*

5 *OFFICE OF HOMELAND SECURITY*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Office of Homeland Secu-*  
8 *rity, pursuant to Executive Order 13288, \$24,844,000.*

9 *EXECUTIVE RESIDENCE AT THE WHITE HOUSE*

10 *OPERATING EXPENSES*

11 *For the care, maintenance, repair and alteration, re-*  
12 *furnishing, improvement, heating, and lighting, including*  
13 *electric power and fixtures, of the Executive Residence at*  
14 *the White House and official entertainment expenses of the*  
15 *President, \$12,228,000, to be expended and accounted for*  
16 *as provided by 3 U.S.C. 105, 109, 110, and 112–114.*

17 *REIMBURSABLE EXPENSES*

18 *For the reimbursable expenses of the Executive Resi-*  
19 *dence at the White House, such sums as may be necessary:*  
20 *Provided, That all reimbursable operating expenses of the*  
21 *Executive Residence shall be made in accordance with the*  
22 *provisions of this paragraph: Provided further, That, not-*  
23 *withstanding any other provision of law, such amount for*  
24 *reimbursable operating expenses shall be the exclusive au-*  
25 *thority of the Executive Residence to incur obligations and*  
26 *to receive offsetting collections, for such expenses: Provided*

1 *further, That the Executive Residence shall require each*  
2 *person sponsoring a reimbursable political event to pay in*  
3 *advance an amount equal to the estimated cost of the event,*  
4 *and all such advance payments shall be credited to this ac-*  
5 *count and remain available until expended: Provided fur-*  
6 *ther, That the Executive Residence shall require the na-*  
7 *tional committee of the political party of the President to*  
8 *maintain on deposit \$25,000, to be separately accounted for*  
9 *and available for expenses relating to reimbursable political*  
10 *events sponsored by such committee during such fiscal year:*  
11 *Provided further, That the Executive Residence shall ensure*  
12 *that a written notice of any amount owed for a reimburs-*  
13 *able operating expense under this paragraph is submitted*  
14 *to the person owing such amount within 60 days after such*  
15 *expense is incurred, and that such amount is collected with-*  
16 *in 30 days after the submission of such notice: Provided*  
17 *further, That the Executive Residence shall charge interest*  
18 *and assess penalties and other charges on any such amount*  
19 *that is not reimbursed within such 30 days, in accordance*  
20 *with the interest and penalty provisions applicable to an*  
21 *outstanding debt on a United States Government claim*  
22 *under section 3717 of title 31, United States Code: Provided*  
23 *further, That each such amount that is reimbursed, and any*  
24 *accompanying interest and charges, shall be deposited in*  
25 *the Treasury as miscellaneous receipts: Provided further,*

1 *That the Executive Residence shall prepare and submit to*  
2 *the Committees on Appropriations, by not later than 90*  
3 *days after the end of the fiscal year covered by this Act,*  
4 *a report setting forth the reimbursable operating expenses*  
5 *of the Executive Residence during the preceding fiscal year,*  
6 *including the total amount of such expenses, the amount*  
7 *of such total that consists of reimbursable official and cere-*  
8 *monial events, the amount of such total that consists of re-*  
9 *imbursable political events, and the portion of each such*  
10 *amount that has been reimbursed as of the date of the re-*  
11 *port: Provided further, That the Executive Residence shall*  
12 *maintain a system for the tracking of expenses related to*  
13 *reimbursable events within the Executive Residence that in-*  
14 *cludes a standard for the classification of any such expense*  
15 *as political or nonpolitical: Provided further, That no pro-*  
16 *vision of this paragraph may be construed to exempt the*  
17 *Executive Residence from any other applicable requirement*  
18 *of subchapter I or II of chapter 37 of title 31, United States*  
19 *Code.*

20 *WHITE HOUSE REPAIR AND RESTORATION*

21 *For the repair, alteration, and improvement of the Ex-*  
22 *ecutive Residence at the White House, \$1,200,000, to re-*  
23 *main available until expended, for required maintenance,*  
24 *safety and health issues, and continued preventative main-*  
25 *tenance.*



1        *SPECIAL ASSISTANCE TO THE PRESIDENT AND THE*  
2            *OFFICIAL RESIDENCE OF THE VICE PRESIDENT*  
3                    *SALARIES AND EXPENSES*

4        *For necessary expenses to enable the Vice President to*  
5 *provide assistance to the President in connection with spe-*  
6 *cially assigned functions; services as authorized by 5 U.S.C.*  
7 *3109 and 3 U.S.C. 106, including subsistence expenses as*  
8 *authorized by 3 U.S.C. 106, which shall be expended and*  
9 *accounted for as provided in that section; and hire of pas-*  
10 *senger motor vehicles, \$4,066,000.*

11                    *OPERATING EXPENSES*

12                    *(INCLUDING TRANSFER OF FUNDS)*

13        *For the care, operation, refurnishing, improvement,*  
14 *heating and lighting, including electric power and fixtures,*  
15 *of the official residence of the Vice President; the hire of*  
16 *passenger motor vehicles; and not to exceed \$90,000 for offi-*  
17 *cial entertainment expenses of the Vice President, to be ac-*  
18 *counted for solely on his certificate, \$324,000: Provided,*  
19 *That advances or repayments or transfers from this appro-*  
20 *priation may be made to any department or agency for ex-*  
21 *penses of carrying out such activities.*

22                    *COUNCIL OF ECONOMIC ADVISERS*

23                    *SALARIES AND EXPENSES*

24        *For necessary expenses of the Council of Economic Ad-*  
25 *visors in carrying out its functions under the Employment*  
26 *Act of 1946 (15 U.S.C. 1021), \$4,405,000.*

1                    *OFFICE OF POLICY DEVELOPMENT*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the Office of Policy Develop-*  
4 *ment, including services as authorized by 5 U.S.C. 3109*  
5 *and 3 U.S.C. 107, \$4,221,000.*

6                    *NATIONAL SECURITY COUNCIL*7                    *SALARIES AND EXPENSES*

8            *For necessary expenses of the National Security Coun-*  
9 *cil, including services as authorized by 5 U.S.C. 3109,*  
10 *\$9,525,000.*

11                   *OFFICE OF ADMINISTRATION*12                   *SALARIES AND EXPENSES*

13           *For necessary expenses of the Office of Administration,*  
14 *including services as authorized by 5 U.S.C. 3109 and 3*  
15 *U.S.C. 107, and hire of passenger motor vehicles,*  
16 *\$70,128,000, of which \$16,775,000 shall remain available*  
17 *until expended for the Capital Investment Plan for contin-*  
18 *ued modernization of the information technology infrastruc-*  
19 *ture within the Executive Office of the President: Provided,*  
20 *That the Executive Office of the President shall submit a*  
21 *report to the Committees on Appropriations that: (1) in-*  
22 *cludes an Enterprise Architecture, as defined in OMB Cir-*  
23 *cular A-130 and the Federal Chief Information Officers*  
24 *Council guidance; (2) presents an Information Technology*  
25 *(IT) Human Capital Plan, to include an inventory of cur-*

1 *rent IT workforce knowledge and skills, a definition of need-*  
2 *ed IT knowledge and skills, a gap analysis of any shortfalls,*  
3 *and a plan for addressing any shortfalls; (3) presents a cap-*  
4 *ital investment plan for implementing the Enterprise Ar-*  
5 *chitecture; (4) includes a description of the IT capital plan-*  
6 *ning and investment control process; and (5) is reviewed*  
7 *and approved by the Office of Management and Budget, is*  
8 *reviewed by the General Accounting Office, and is approved*  
9 *by the Committees on Appropriations.*

10 *OFFICE OF MANAGEMENT AND BUDGET*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Office of Management*  
13 *and Budget, including hire of passenger motor vehicles and*  
14 *services as authorized by 5 U.S.C. 3109, \$70,752,000, of*  
15 *which not to exceed \$5,000,000 shall be available to carry*  
16 *out the provisions of chapter 35 of title 44, United States*  
17 *Code, and of which not to exceed \$3,000 shall be available*  
18 *for official representation expenses: Provided, That, as pro-*  
19 *vided in 31 U.S.C. 1301(a), appropriations shall be applied*  
20 *only to the objects for which appropriations were made ex-*  
21 *cept as otherwise provided by law: Provided further, That*  
22 *none of the funds appropriated in this Act for the Office*  
23 *of Management and Budget may be used for the purpose*  
24 *of reviewing any agricultural marketing orders or any ac-*  
25 *tivities or regulations under the provisions of the Agricul-*

1 *tural Marketing Agreement Act of 1937 (7 U.S.C. 601 et*  
 2 *seq.): Provided further, That none of the funds made avail-*  
 3 *able for the Office of Management and Budget by this Act*  
 4 *may be expended for the altering of the transcript of actual*  
 5 *testimony of witnesses, except for testimony of officials of*  
 6 *the Office of Management and Budget, before the Commit-*  
 7 *tees on Appropriations or the Committees on Veterans' Af-*  
 8 *airs or their subcommittees: Provided further, That the pre-*  
 9 *ceding shall not apply to printed hearings released by the*  
 10 *Committees on Appropriations or the Committees on Vet-*  
 11 *erans' Affairs.*

12 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

13 *SALARIES AND EXPENSES*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For necessary expenses of the Office of National Drug*  
 16 *Control Policy; for research activities pursuant to the Office*  
 17 *of National Drug Control Policy Reauthorization Act of*  
 18 *1998 (21 U.S.C. 1701 et seq.); not to exceed \$10,000 for*  
 19 *official reception and representation expenses; and for par-*  
 20 *ticipation in joint projects or in the provision of services*  
 21 *on matters of mutual interest with nonprofit, research, or*  
 22 *public organizations or agencies, with or without reim-*  
 23 *bursement, \$26,456,000, of which \$2,350,000 shall remain*  
 24 *available until expended, consisting of \$1,350,000 for policy*  
 25 *research and evaluation, and \$1,000,000 for the National*  
 26 *Alliance for Model State Drug Laws: Provided, That the*

1 *Office is authorized to accept, hold, administer, and utilize*  
2 *gifts, both real and personal, public and private, without*  
3 *fiscal year limitation, for the purpose of aiding or facili-*  
4 *tating the work of the Office.*

5 *COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses for the Counterdrug Technology*  
8 *Assessment Center for research activities pursuant to the*  
9 *Office of National Drug Control Policy Reauthorization Act*  
10 *of 1998 (21 U.S.C. 1701 et seq.), \$40,000,000, which shall*  
11 *remain available until expended, consisting of \$18,000,000*  
12 *for counternarcotics research and development projects, and*  
13 *\$22,000,000 for the continued operation of the technology*  
14 *transfer program: Provided, That the \$18,000,000 for coun-*  
15 *ternarcotics research and development projects shall be*  
16 *available for transfer to other Federal departments or agen-*  
17 *cies.*

18 *FEDERAL DRUG CONTROL PROGRAMS*

19 *HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For necessary expenses of the Office of National Drug*  
22 *Control Policy's High Intensity Drug Trafficking Areas*  
23 *Program, \$226,350,000, for drug control activities con-*  
24 *sistent with the approved strategy for each of the designated*  
25 *High Intensity Drug Trafficking Areas, of which no less*  
26 *than 51 percent shall be transferred to State and local enti-*

1 *ties for drug control activities, which shall be obligated*  
2 *within 120 days of the date of the enactment of this Act:*  
3 *Provided, That up to 49 percent, to remain available until*  
4 *September 30, 2004, may be transferred to Federal agencies*  
5 *and departments at a rate to be determined by the Director,*  
6 *of which not less than \$2,100,000 shall be used for auditing*  
7 *services and associated activities, and at least \$500,000 of*  
8 *the \$2,100,000 shall be used to develop and implement a*  
9 *data collection system to measure the performance of the*  
10 *High Intensity Drug Trafficking Areas Program: Provided*  
11 *further, That High Intensity Drug Trafficking Areas Pro-*  
12 *grams designated as of September 30, 2002, shall be funded*  
13 *at no less than the fiscal year 2002 budget request levels*  
14 *unless the Director submits to the Committees on Appro-*  
15 *priations, and the Committees approve, justification for*  
16 *changes in those levels based on clearly articulated prior-*  
17 *ities for the High Intensity Drug Trafficking Areas Pro-*  
18 *grams, as well as published Office of National Drug Control*  
19 *Policy performance measures of effectiveness: Provided fur-*  
20 *ther, That no funds of an amount in excess of the fiscal*  
21 *year 2003 budget request shall be obligated prior to the ap-*  
22 *proval of the Committee on Appropriations: Provided fur-*  
23 *ther, That none of the funds made available in this Act or*  
24 *any other Act may be expended or obligated for the contin-*  
25 *ued or future operation of a regional office with authority*

1 *over more than one of the California, Arizona, New Mexico,*  
2 *or Texas partnerships without the consent of each of the*  
3 *affected partnerships.*

4 *SPECIAL FORFEITURE FUND*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For activities to support a national anti-drug cam-*  
7 *paign for youth, and for other purposes, authorized by the*  
8 *Office of National Drug Control Policy Reauthorization Act*  
9 *of 1998 (21 U.S.C. 1701 et seq.), \$172,700,000, to remain*  
10 *available until expended, of which the following amounts*  
11 *are available as follows: \$100,000,000 to support a national*  
12 *media campaign, as authorized by the Drug-Free Media*  
13 *Campaign Act of 1998; \$60,000,000 to continue a program*  
14 *of matching grants to drug-free communities, of which*  
15 *\$2,000,000 shall be a directed grant to the Community*  
16 *Anti-Drug Coalitions of America for the National Commu-*  
17 *nity Anti-Drug Coalition Institute, as authorized in chap-*  
18 *ter 2 of the National Narcotics Leadership Act of 1988, as*  
19 *amended; \$3,000,000 for the Counterdrug Intelligence Exec-*  
20 *utive Secretariat; \$2,000,000 for evaluations and research*  
21 *related to National Drug Control Program performance*  
22 *measures; \$1,000,000 for the National Drug Court Institute;*  
23 *\$5,900,000 for the United States Anti-Doping Agency for*  
24 *anti-doping activities; and \$800,000 for the United States*  
25 *membership dues to the World Anti-Doping Agency: Pro-*

1 *vided, That such funds may be transferred to other Federal*  
2 *departments and agencies to carry out such activities.*

3 *UNANTICIPATED NEEDS*

4 *For expenses necessary to enable the President to meet*  
5 *unanticipated needs, in furtherance of the national interest,*  
6 *security, or defense which may arise at home or abroad dur-*  
7 *ing the current fiscal year, as authorized by 3 U.S.C. 108,*  
8 *\$1,000,000.*

9 *This title may be cited as the “Executive Office Appro-*  
10 *priations Act, 2003”.*

11 *TITLE IV—INDEPENDENT AGENCIES*

12 *COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE*

13 *BLIND OR SEVERELY DISABLED*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Committee for Purchase*  
16 *From People Who Are Blind or Severely Disabled estab-*  
17 *lished by Public Law 92–28, \$4,629,000.*

18 *FEDERAL ELECTION COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses to carry out the provisions of*  
21 *the Federal Election Campaign Act of 1971, as amended,*  
22 *\$45,244,000, of which not to exceed \$5,000 shall be available*  
23 *for reception and representation expenses.*



1            *FEDERAL LABOR RELATIONS AUTHORITY*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses to carry out functions of the*  
4 *Federal Labor Relations Authority, pursuant to Reorga-*  
5 *nization Plan Numbered 2 of 1978, and the Civil Service*  
6 *Reform Act of 1978, including services authorized by 5*  
7 *U.S.C. 3109, and including hire of experts and consultants,*  
8 *hire of passenger motor vehicles, and rental of conference*  
9 *rooms in the District of Columbia and elsewhere,*  
10 *\$28,677,000: Provided, That public members of the Federal*  
11 *Service Impasses Panel may be paid travel expenses and*  
12 *per diem in lieu of subsistence as authorized by law (5*  
13 *U.S.C. 5703) for persons employed intermittently in the*  
14 *Government service, and compensation as authorized by 5*  
15 *U.S.C. 3109: Provided further, That notwithstanding 31*  
16 *U.S.C. 3302, funds received from fees charged to non-Fed-*  
17 *eral participants at labor-management relations con-*  
18 *ferences shall be credited to and merged with this account,*  
19 *to be available without further appropriation for the costs*  
20 *of carrying out these conferences.*

1                    *GENERAL SERVICES ADMINISTRATION*  
2                    *REAL PROPERTY ACTIVITIES*  
3                    *FEDERAL BUILDINGS FUND*  
4                    *LIMITATIONS ON AVAILABILITY OF REVENUE*  
5                    *(INCLUDING TRANSFER OF FUNDS)*

6            *For an additional amount to be deposited in, and to*  
7 *be used for the purposes of, the Fund established pursuant*  
8 *to section 210(f) of the Federal Property and Administra-*  
9 *tive Services Act of 1949, as amended (40 U.S.C. 490(f)),*  
10 *\$363,299,000. The revenues and collections deposited into*  
11 *the Fund shall be available for necessary expenses of real*  
12 *property management and related activities not otherwise*  
13 *provided for, including operation, maintenance, and protec-*  
14 *tion of federally owned and leased buildings; rental of build-*  
15 *ings in the District of Columbia; restoration of leased prem-*  
16 *ises; moving governmental agencies (including space adjust-*  
17 *ments and telecommunications relocation expenses) in con-*  
18 *nection with the assignment, allocation and transfer of*  
19 *space; contractual services incident to cleaning or servicing*  
20 *buildings, and moving; repair and alteration of federally*  
21 *owned buildings including grounds, approaches and appur-*  
22 *tenances; care and safeguarding of sites; maintenance, pres-*  
23 *ervation, demolition, and equipment; acquisition of build-*  
24 *ings and sites by purchase, condemnation, or as otherwise*  
25 *authorized by law; acquisition of options to purchase build-*  
26 *ings and sites; conversion and extension of federally owned*

1 *buildings; preliminary planning and design of projects by*  
2 *contract or otherwise; construction of new buildings (in-*  
3 *cluding equipment for such buildings); and payment of*  
4 *principal, interest, and any other obligations for public*  
5 *buildings acquired by installment purchase and purchase*  
6 *contract; in the aggregate amount of \$6,926,833,000, of*  
7 *which: (1) \$631,663,000 shall remain available until ex-*  
8 *pendent for construction (including funds for sites and ex-*  
9 *penses and associated design and construction services) of*  
10 *additional projects at the following locations:*

11 *New Construction:*

12 *Arkansas:*

13 *Little Rock, United States Courthouse*  
14 *Annex, \$77,154,000*

15 *California:*

16 *San Diego, United States Courthouse*  
17 *Annex, \$23,901,000*

18 *District of Columbia:*

19 *Washington, Southeast Federal Center Site*  
20 *Remediation, \$8,972,000*

21 *Florida:*

22 *Fort Pierce, United States Courthouse,*  
23 *\$2,744,000*

24 *Iowa:*

1                   *Cedar Rapids, United States Courthouse,*

2                   \$5,167,000

3                   *Maine:*

4                   *Jackman, Border Station, \$9,194,000*

5                   *Maryland:*

6                   *Montgomery County, FDA consolidation,*

7                   \$25,500,000

8                   *Suitland, National Oceanic and Atmos-*  
9                   *spheric Administration II, \$9,461,000*

10                  *Suitland, United States Census Bureau,*

11                  \$176,919,000

12                  *Mississippi:*

13                  *Jackson, United States Courthouse,*

14                  \$7,276,000

15                  *Missouri:*

16                  *Cape Girardeau, United States Courthouse,*

17                  \$49,300,000

18                  *Montana:*

19                  *Raymond, Border Station, \$7,753,000*

20                  *New York:*

21                  *Brooklyn, United States Courthouse*

22                  *Annex—GPO, \$39,500,000*

23                  *Massena, Border Station, \$1,646,000*

24                  *New York, United States Mission to the*

25                  *United Nations, \$57,053,000*

1 *North Dakota:*

2 *Portal, Border Station, \$2,201,000*

3 *Oregon:*

4 *Eugene, United States Courthouse,*  
5 *\$77,374,000*

6 *Tennessee:*

7 *Nashville, United States Courthouse,*  
8 *\$7,095,000*

9 *Texas:*

10 *Austin, United States Courthouse,*  
11 *\$13,809,000*

12 *Utah:*

13 *Salt Lake City, United States Courthouse,*  
14 *\$11,807,000*

15 *Washington:*

16 *Oroville, Border Station, \$6,572,000*

17 *Nationwide:*

18 *Judgment Fund Repayment, \$3,012,000*

19 *Nonprospectus Construction, \$8,253,000:*

20 *Provided, That funding for any project identified above*  
21 *may be exceeded to the extent that savings are effected in*  
22 *other such projects, but not to exceed 10 percent of the*  
23 *amounts included in an approved prospectus, if required,*  
24 *unless advance approval is obtained from the Committees*  
25 *on Appropriations of a greater amount: Provided further,*

1 *That all funds for direct construction projects shall expire*  
2 *on September 30, 2004, and remain in the Federal Build-*  
3 *ings Fund except for funds for projects as to which funds*  
4 *for design or other funds have been obligated in whole or*  
5 *in part prior to such date; (2) \$997,839,000 shall remain*  
6 *available until expended for repairs and alterations which*  
7 *includes associated design and construction services: Pro-*  
8 *vided further, That funds in the Federal Buildings Fund*  
9 *for Repairs and Alterations shall, for prospectus projects,*  
10 *be limited to the amount by project, as follows, except each*  
11 *project may be increased by an amount not to exceed 10*  
12 *percent unless advance approval is obtained from the Com-*  
13 *mittees on Appropriations of a greater amount:*

14 *Repairs and Alterations:*

15 *California:*

16 *Los Angeles, Federal Building, 300 North*  
17 *Los Angeles Street, \$93,166,000*

18 *San Francisco, Appraisers Building,*  
19 *\$20,283,000*

20 *Tecate, Tecate United States Border Sta-*  
21 *tion, \$5,709,000*

22 *Colorado:*

23 *Denver, Byron G. Rogers Federal Building*  
24 *and Courthouse, \$9,000,000*

25 *Connecticut:*

1            *New Haven, Robert N. Gaimo Federal*  
2            *Building, \$18,507,000*

3            *District of Columbia:*

4            *Federal Office Building 10A Garage,*  
5            *\$5,454,000*

6            *Harry S Truman Building (State),*  
7            *\$29,443,000*

8            *Illinois:*

9            *Chicago, United States Custom House,*  
10           *\$9,000,000*

11           *Iowa:*

12           *Davenport, Federal Building and United*  
13           *States Courthouse, \$12,586,000*

14           *Maryland:*

15           *Baltimore, Metro West, \$6,162,000*

16           *Woodlawn, Operations Building,*  
17           *\$96,905,000*

18           *Massachusetts:*

19           *Boston, John F. Kennedy Federal Building*  
20           *Plaza, \$3,271,000*

21           *Missouri:*

22           *Kansas City, Bannister Federal Complex,*  
23           *Building 1, \$16,130,000*

24           *Kansas City, Bannister Federal Complex,*  
25           *Building 2, \$3,148,000*

1 *New Hampshire:*

2 *Manchester, Norris Cotton Federal Build-*  
3 *ing, \$17,668,000*

4 *Portsmouth, Thomas J. McIntyre Federal*  
5 *Building, \$11,149,000*

6 *New York:*

7 *New York, Jacob K. Javits Federal Build-*  
8 *ing, \$7,568,000*

9 *Ohio:*

10 *Cleveland, Howard M. Metzenbaum United*  
11 *States Courthouse, \$15,212,000*

12 *Pennsylvania:*

13 *Pittsburgh, United States Post Office and*  
14 *Courthouse, \$2,810,000*

15 *Pittsburgh, William S. Moorhead Federal*  
16 *Building, \$68,793,000*

17 *Texas:*

18 *Dallas, Earle Cabell Federal Building—*  
19 *Courthouse and Santa Fe Federal Building,*  
20 *\$16,394,000*

21 *Fort Worth, Fritz Garland Lanham Federal*  
22 *Building, \$15,249,000*

23 *Washington:*

24 *Seattle, Henry M. Jackson Federal Build-*  
25 *ing, \$26,832,000*



1           *Nationwide:*

2                     *Chlorofluorocarbons Program, \$8,000,000*

3                     *Design Program, \$52,527,000*

4                     *Elevator Program, \$21,533,000*

5                     *Energy Program, \$8,000,000*

6                     *Glass Fragmentation Program, \$20,000,000*

7                     *Terrorism, \$10,000,000*

8                     *Basic       Repairs       and       Alterations,*

9                     *\$367,340,000:*

10 *Provided further, That additional projects for which*  
11 *prospectuses have been fully approved may be funded under*  
12 *this category only if advance approval is obtained from the*  
13 *Committees on Appropriations: Provided further, That the*  
14 *amounts provided in this or any prior Act for “Repairs*  
15 *and Alterations” may be used to fund costs associated with*  
16 *implementing security improvements to buildings necessary*  
17 *to meet the minimum standards for security in accordance*  
18 *with current law and in compliance with the reprogram-*  
19 *ming guidelines of the appropriate Committees of the House*  
20 *and Senate: Provided further, That the difference between*  
21 *the funds appropriated and expended on any projects in*  
22 *this or any prior Act, under the heading “Repairs and Al-*  
23 *terations”, may be transferred to Basic Repairs and Alter-*  
24 *ations or used to fund authorized increases in prospectus*  
25 *projects: Provided further, That all funds for repairs and*

1 alterations prospectus projects shall expire on September  
2 30, 2004, and remain in the Federal Buildings Fund except  
3 funds for projects as to which funds for design or other  
4 funds have been obligated in whole or in part prior to such  
5 date: Provided further, That the amount provided in this  
6 or any prior Act for Basic Repairs and Alterations may  
7 be used to pay claims against the Government arising from  
8 any projects under the heading "Repairs and Alterations"  
9 or used to fund authorized increases in prospectus projects;  
10 (3) \$178,960,000 for installment acquisition payments in-  
11 cluding payments on purchase contracts which shall remain  
12 available until expended; (4) \$3,153,211,000 for rental of  
13 space which shall remain available until expended; and (5)  
14 \$1,965,160,000 for building operations which shall remain  
15 available until expended: Provided further, That funds  
16 available to the General Services Administration shall not  
17 be available for expenses of any construction, repair, alter-  
18 ation and acquisition project for which a prospectus, if re-  
19 quired by the Public Buildings Act of 1959, as amended,  
20 has not been approved, except that necessary funds may be  
21 expended for each project for required expenses for the devel-  
22 opment of a proposed prospectus: Provided further, That  
23 funds available in the Federal Buildings Fund may be ex-  
24 pended for emergency repairs when advance approval is ob-  
25 tained from the Committees on Appropriations: Provided

1 *further, That amounts necessary to provide reimbursable*  
2 *special services to other agencies under section 210(f)(6) of*  
3 *the Federal Property and Administrative Services Act of*  
4 *1949, as amended (40 U.S.C. 490(f)(6)) and amounts to*  
5 *provide such reimbursable fencing, lighting, guard booths,*  
6 *and other facilities on private or other property not in Gov-*  
7 *ernment ownership or control as may be appropriate to en-*  
8 *able the United States Secret Service to perform its protec-*  
9 *tive functions pursuant to 18 U.S.C. 3056, shall be avail-*  
10 *able from such revenues and collections: Provided further,*  
11 *That revenues and collections and any other sums accruing*  
12 *to this Fund during fiscal year 2003, excluding reimburse-*  
13 *ments under section 210(f)(6) of the Federal Property and*  
14 *Administrative Services Act of 1949 (40 U.S.C. 490(f)(6))*  
15 *in excess of \$6,926,833,000 shall remain in the Fund and*  
16 *shall not be available for expenditure except as authorized*  
17 *in appropriations Acts.*

18

*GENERAL ACTIVITIES*

19

*POLICY AND CITIZEN SERVICES*

20 *For expenses authorized by law, not otherwise provided*  
21 *for, for Government-wide policy and evaluation activities*  
22 *associated with the management of real and personal prop-*  
23 *erty assets and certain administrative services; Govern-*  
24 *ment-wide policy support responsibilities relating to acqui-*  
25 *sition, telecommunications, information technology man-*  
26 *agement, and related technology activities; providing citi-*

1 *zens with Internet access to Federal information and serv-*  
2 *ices; and services as authorized by 5 U.S.C. 3109,*  
3 *\$65,995,000.*

4 *OPERATING EXPENSES*

5 *For expenses authorized by law, not otherwise provided*  
6 *for, for Government-wide activities associated with utiliza-*  
7 *tion and donation of surplus personal property; disposal*  
8 *of real property; telecommunications, information tech-*  
9 *nology management, and related technology activities;*  
10 *agency-wide policy direction and management, and Board*  
11 *of Contract Appeals; accounting, records management, and*  
12 *other support services incident to adjudication of Indian*  
13 *Tribal Claims by the United States Court of Federal*  
14 *Claims; services as authorized by 5 U.S.C. 3109; and not*  
15 *to exceed \$7,500 for official reception and representation*  
16 *expenses, \$94,640,000, of which \$23,899,000 shall remain*  
17 *available until expended.*

18 *OFFICE OF INSPECTOR GENERAL*

19 *For necessary expenses of the Office of Inspector Gen-*  
20 *eral and services authorized by 5 U.S.C. 3109, \$37,617,000:*  
21 *Provided, That not to exceed \$15,000 shall be available for*  
22 *payment for information and detection of fraud against the*  
23 *Government, including payment for recovery of stolen Gov-*  
24 *ernment property: Provided further, That not to exceed*  
25 *\$2,500 shall be available for awards to employees of other*  
26 *Federal agencies and private citizens in recognition of ef-*

1 *forts and initiatives resulting in enhanced Office of Inspec-*  
 2 *tor General effectiveness.*

3 *ELECTRONIC GOVERNMENT FUND*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For necessary expenses in support of interagency*  
 6 *projects that enable the Federal Government to expand its*  
 7 *ability to conduct activities electronically, through the de-*  
 8 *velopment and implementation of innovative uses of the*  
 9 *Internet and other electronic methods, \$5,000,000, to re-*  
 10 *main available until expended: Provided, That these funds*  
 11 *may be transferred to Federal agencies to carry out the pur-*  
 12 *poses of the Fund: Provided further, That this transfer au-*  
 13 *thority shall be in addition to any other transfer authority*  
 14 *provided in this Act: Provided further, That such transfers*  
 15 *may not be made until 10 days after a proposed spending*  
 16 *plan and justification for each project to be undertaken has*  
 17 *been submitted to the Committees on Appropriations.*

18 *ALLOWANCES AND OFFICE STAFF FOR FORMER*

19 *PRESIDENTS*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For carrying out the provisions of the Act of August*  
 22 *25, 1958, as amended (3 U.S.C. 102 note), and Public Law*  
 23 *95-138, \$3,339,000: Provided, That the Administrator of*  
 24 *General Services shall transfer to the Secretary of the Treas-*  
 25 *ury such sums as may be necessary to carry out the provi-*  
 26 *sions of such Acts.*



1 *in its approved 5-year construction plan: Provided, That*  
2 *the fiscal year 2004 request must be accompanied by a*  
3 *standardized courtroom utilization study of each facility to*  
4 *be constructed, replaced, or expanded.*

5       *SEC. 405. None of the funds provided in this Act may*  
6 *be used to increase the amount of occupiable square feet,*  
7 *provide cleaning services, security enhancements, or any*  
8 *other service usually provided through the Federal Build-*  
9 *ings Fund, to any agency that does not pay the rate per*  
10 *square foot assessment for space and services as determined*  
11 *by the General Services Administration in compliance with*  
12 *the Public Buildings Amendments Act of 1972 (Public Law*  
13 *92-313).*

14       *SEC. 406. Funds provided to other Government agen-*  
15 *cies by the Information Technology Fund, General Services*  
16 *Administration, under section 110 of the Federal Property*  
17 *and Administrative Services Act of 1949 (40 U.S.C. 757)*  
18 *and sections 5124(b) and 5128 of the Clinger-Cohen Act of*  
19 *1996 (40 U.S.C. 1424(b) and 1428), for performance of*  
20 *pilot information technology projects which have potential*  
21 *for Government-wide benefits and savings, may be repaid*  
22 *to this Fund from any savings actually incurred by these*  
23 *projects or other funding, to the extent feasible.*

24       *SEC. 407. From funds made available under the head-*  
25 *ing "Federal Buildings Fund, Limitations on Availability*

1 of Revenue”, claims against the Government of less than  
2 \$2,000,000 arising from direct construction projects and ac-  
3 quisition of buildings may be liquidated from savings ef-  
4 fected in other construction projects with prior notification  
5 to the Committees on Appropriations.

6       SEC. 408. DESIGNATION OF THE JUDGE DAN M. RUS-  
7 SELL, JR. FEDERAL BUILDING AND UNITED STATES  
8 COURTHOUSE. (a) The Federal building and United States  
9 courthouse located at 2015 15th Street in Gulfport, Mis-  
10 sissippi, shall be known and designated as the “Judge Dan  
11 M. Russell, Jr. Federal Building and United States Court-  
12 house”.

13       (b) Any reference in law, map, regulation, document,  
14 paper, or other record of the United States to the Federal  
15 building and United States courthouse referred to in sub-  
16 section (a) shall be deemed to be a reference to the “Judge  
17 Dan M. Russell, Jr. Federal Building and United States  
18 Courthouse”.

19       SEC. 409. DESIGNATION. (a) The United States court-  
20 house located at 100 Federal Plaza in Central Islip, New  
21 York, shall be known and designated as the “Alfonse M.  
22 D’Amato United States Courthouse”.

23       (b) Any reference in law, map, regulation, document,  
24 paper, or other record of the United States to the United  
25 States courthouse referred to in subsection (a) shall be



1 *deemed to be a reference to the “Alfonse M. D’Amato United*  
2 *States Courthouse”.*

3       *SEC. 410. DESIGNATION OF CESAR E. CHAVEZ MEMO-*  
4 *RIAL BUILDING. (a) The building known as the Colonnade*  
5 *Center, located at 1244 Speer Boulevard, Denver, Colorado,*  
6 *shall be known and designated as the “Cesar E. Chavez Me-*  
7 *morial Building”.*

8       *(b) Any reference in law, map, regulation, document,*  
9 *paper, or other record of the United States to the building*  
10 *referred to in subsection (a) shall be deemed to be a reference*  
11 *to the “Cesar E. Chavez Memorial Building”.*

12       *SEC. 411. For gross obligations for the principal*  
13 *amount of a direct loan as defined by Section 502 of the*  
14 *Congressional Budget Act of 1974, not to exceed \$250,000,*  
15 *to be available from amounts transferred by Treasury to*  
16 *the “Disposal of surplus real and related personal prop-*  
17 *erty” account of the General Services Administration.*

18       *SEC. 412. DESIGNATION OF RICHARD SHEPPARD AR-*  
19 *NOLD UNITED STATES COURTHOUSE. (a) The United States*  
20 *courthouse located at 600 West Capitol Avenue in Little*  
21 *Rock, Arkansas, and any addition to the courthouse that*  
22 *may hereafter be constructed, shall be known and designated*  
23 *as the “Richard Sheppard Arnold United States Court-*  
24 *house”.*

1           (b) Any reference in a law, map, regulation, document,  
2 paper, or other record of the United States courthouse re-  
3 ferred to in subsection (a) shall be deemed to be a reference  
4 to the “Richard Sheppard Arnold United States Court-  
5 house”.

6           SEC. 413. (a) Notwithstanding any other provision of  
7 law, the Administrator of General Services is authorized to  
8 acquire, by purchase, condemnation, or otherwise, the prop-  
9 erties known as 26 West Market Street, 30 West Market  
10 Street, 39 West Market Street, and 40 West Market Street  
11 in Salt Lake City, Utah. In so acquiring, the Administrator  
12 shall comply with applicable environmental and historical  
13 preservation statutes. This authority is in addition to the  
14 authority of the Administrator to acquire any sites nec-  
15 essary for construction of the new United States Courthouse  
16 in Salt Lake City, Utah.

17           (b) In addition, the Administrator is authorized to re-  
18 locate the historical building currently located at 39 West  
19 Market Street, Salt Lake City, Utah, to the parcels known  
20 as 26, 30, and 40 West Market Street, Salt Lake City, Utah,  
21 and after the relocation the Administrator is authorized to  
22 sell by auction, or upon such other terms and conditions  
23 as the Administrator deems proper, the properties known  
24 as 26, 30, and 40 West Market Street. All proceeds from  
25 such sale shall be deposited into the fund established under

1 *section 592 of title 40, United States Code, and shall not*  
2 *be available for obligation until authorized by a future ap-*  
3 *propriations Act.*

4 *(c) Funds made available in previous appropriations*  
5 *Acts for site, design and construction of a new Courthouse*  
6 *in Salt Lake City, as well as funds that may be made avail-*  
7 *able for such project in fiscal year 2003 appropriations*  
8 *Acts, may be used to carry out the purposes of subsections*  
9 *(a) and (b).*

10 *SEC. 414. DESIGNATION OF NATHANIEL R. JONES*  
11 *FEDERAL BUILDING AND UNITED STATES COURTHOUSE.*

12 *(a) IN GENERAL.—The Federal building and United States*  
13 *courthouse located at 10 East Commerce Street in Youngs-*  
14 *town, Ohio, shall be known and designated as the “Nathan-*  
15 *iel R. Jones Federal Building and United States Court-*  
16 *house”.*

17 *(b) REFERENCES.—Any reference in a law, map, regu-*  
18 *lation, document, paper, or other record of the United*  
19 *States to the Federal building and United States courthouse*  
20 *referred to in subsection (a) shall be deemed to be a reference*  
21 *to the Nathaniel R. Jones Federal Building and United*  
22 *States Courthouse.*

1                    *MERIT SYSTEMS PROTECTION BOARD*

2                    *SALARIES AND EXPENSES*

3                    *(INCLUDING TRANSFER OF FUNDS)*

4            *For necessary expenses to carry out functions of the*  
5 *Merit Systems Protection Board pursuant to Reorganiza-*  
6 *tion Plan Numbered 2 of 1978 and the Civil Service Reform*  
7 *Act of 1978, including services as authorized by 5 U.S.C.*  
8 *3109, rental of conference rooms in the District of Columbia*  
9 *and elsewhere, hire of passenger motor vehicles, and direct*  
10 *procurement of survey printing, \$31,788,000 together with*  
11 *not to exceed \$2,594,000 for administrative expenses to ad-*  
12 *judicate retirement appeals to be transferred from the Civil*  
13 *Service Retirement and Disability Fund in amounts deter-*  
14 *mined by the Merit Systems Protection Board.*

15        *MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN*

16            *NATIONAL ENVIRONMENTAL POLICY FOUNDATION*

17 *FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP*

18            *AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POL-*

19            *ICY TRUST FUND*

20            *For payment to the Morris K. Udall Scholarship and*  
21 *Excellence in National Environmental Policy Trust Fund,*  
22 *pursuant to the Morris K. Udall Scholarship and Excellence*  
23 *in National Environmental and Native American Public*  
24 *Policy Act of 1992 (20 U.S.C. 5601 et seq.), \$1,996,000,*  
25 *to remain available until expended: Provided, That up to*  
26 *60 percent of such funds may be transferred by the Morris*

1 *K. Udall Scholarship and Excellence in National Environ-*  
2 *mental Policy Foundation for the necessary expenses of the*  
3 *Native Nations Institute.*

4 *ENVIRONMENTAL DISPUTE RESOLUTION FUND*

5 *For payment to the Environmental Dispute Resolution*  
6 *Fund to carry out activities authorized in the Environ-*  
7 *mental Policy and Conflict Resolution Act of 1998,*  
8 *\$1,309,000, to remain available until expended.*

9 *NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*

10 *OPERATING EXPENSES*

11 *For necessary expenses in connection with the admin-*  
12 *istration of the National Archives (including the Informa-*  
13 *tion Security Oversight Office) and archived Federal*  
14 *records and related activities, as provided by law, and for*  
15 *expenses necessary for the review and declassification of*  
16 *documents, and for the hire of passenger motor vehicles,*  
17 *\$249,731,000: Provided, That the Archivist of the United*  
18 *States is authorized to use any excess funds available from*  
19 *the amount borrowed for construction of the National Ar-*  
20 *chives facility, for expenses necessary to provide adequate*  
21 *storage for holdings.*

22 *REPAIRS AND RESTORATION*

23 *For the repair, alteration, and improvement of ar-*  
24 *chives facilities, and to provide adequate storage for hold-*  
25 *ings, \$14,208,000, to remain available until expended, of*  
26 *which \$1,250,000 is for the Military Personnel Records*

1 *Center preliminary design studies, \$3,250,000 is for repairs*  
2 *to the Lyndon Baines Johnson Presidential Library Plaza,*  
3 *and \$3,750,000 is for locating, purchasing, and other re-*  
4 *lated site location expenses for the site of a new regional*  
5 *archives facility to be constructed in Anchorage, Alaska.*

6 *NATIONAL HISTORICAL PUBLICATIONS AND RECORDS*

7 *COMMISSION*

8 *GRANTS PROGRAM*

9 *For necessary expenses for allocations and grants for*  
10 *historical publications and records as authorized by 44*  
11 *U.S.C. 2504, as amended, \$7,000,000, to remain available*  
12 *until expended.*

13 *OFFICE OF GOVERNMENT ETHICS*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses to carry out functions of the*  
16 *Office of Government Ethics pursuant to the Ethics in Gov-*  
17 *ernment Act of 1978, as amended and the Ethics Reform*  
18 *Act of 1989, including services as authorized by 5 U.S.C.*  
19 *3109, rental of conference rooms in the District of Columbia*  
20 *and elsewhere, hire of passenger motor vehicles, and not to*  
21 *exceed \$1,500 for official reception and representation ex-*  
22 *penses, \$10,486,000.*

1            *OFFICE OF PERSONNEL MANAGEMENT*2                            *SALARIES AND EXPENSES*3                            *(INCLUDING TRANSFER OF TRUST FUNDS)*

4            *For necessary expenses to carry out functions of the*  
5 *Office of Personnel Management pursuant to Reorganiza-*  
6 *tion Plan Numbered 2 of 1978 and the Civil Service Reform*  
7 *Act of 1978, including services as authorized by 5 U.S.C.*  
8 *3109; medical examinations performed for veterans by pri-*  
9 *vate physicians on a fee basis; rental of conference rooms*  
10 *in the District of Columbia and elsewhere; hire of passenger*  
11 *motor vehicles; not to exceed \$2,500 for official reception*  
12 *and representation expenses; advances for reimbursements*  
13 *to applicable funds of the Office of Personnel Management*  
14 *and the Federal Bureau of Investigation for expenses in-*  
15 *curred under Executive Order No. 10422 of January 9,*  
16 *1953, as amended; and payment of per diem and/or subsist-*  
17 *ence allowances to employees where Voting Rights Act ac-*  
18 *tivities require an employee to remain overnight at his or*  
19 *her post of duty, \$128,736,000, of which \$24,000,000 shall*  
20 *remain available until expended for the cost of the Govern-*  
21 *ment-wide human resources data network project, and*  
22 *\$2,500,000 shall remain available until expended for the*  
23 *cost of leading the government-wide initiative to modernize*  
24 *the Federal payroll systems and service delivery; and in ad-*  
25 *dition \$120,791,000 for administrative expenses, to be*  
26 *transferred from the appropriate trust funds of the Office*

1 *of Personnel Management without regard to other statutes,*  
2 *including direct procurement of printed materials, for the*  
3 *retirement and insurance programs, of which \$27,640,000*  
4 *shall remain available until expended for the cost of auto-*  
5 *mating the retirement recordkeeping systems: Provided,*  
6 *That the provisions of this appropriation shall not affect*  
7 *the authority to use applicable trust funds as provided by*  
8 *sections 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A) and*  
9 *(2)(A) of title 5, United States Code: Provided further, That*  
10 *no part of this appropriation shall be available for salaries*  
11 *and expenses of the Legal Examining Unit of the Office of*  
12 *Personnel Management established pursuant to Executive*  
13 *Order No. 9358 of July 1, 1943, or any successor unit of*  
14 *like purpose: Provided further, That the President's Com-*  
15 *mission on White House Fellows, established by Executive*  
16 *Order No. 11183 of October 3, 1964, may, during fiscal year*  
17 *2003, accept donations of money, property, and personal*  
18 *services in connection with the development of a publicity*  
19 *brochure to provide information about the White House Fel-*  
20 *lows, except that no such donations shall be accepted for*  
21 *travel or reimbursement of travel expenses, or for the sala-*  
22 *ries of employees of such Commission.*



## 1 OFFICE OF INSPECTOR GENERAL

## 2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses of the Office of Inspector Gen-  
5 eral in carrying out the provisions of the Inspector General  
6 Act, as amended, including services as authorized by 5  
7 U.S.C. 3109, hire of passenger motor vehicles, \$1,498,000,  
8 and in addition, not to exceed \$10,766,000 for administra-  
9 tive expenses to audit, investigate, and provide other over-  
10 sight of the Office of Personnel Management's retirement  
11 and insurance programs, to be transferred from the appro-  
12 priate trust funds of the Office of Personnel Management,  
13 as determined by the Inspector General: Provided, That the  
14 Inspector General is authorized to rent conference rooms in  
15 the District of Columbia and elsewhere.

## 16 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

## 17 HEALTH BENEFITS

18 For payment of Government contributions with re-  
19 spect to retired employees, as authorized by chapter 89 of  
20 title 5, United States Code, and the Retired Federal Em-  
21 ployees Health Benefits Act (74 Stat. 849), as amended,  
22 such sums as may be necessary.

## 23 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE

## 24 INSURANCE

25 For payment of Government contributions with respect  
26 to employees retiring after December 31, 1989, as required

1 *by chapter 87 of title 5, United States Code, such sums as*  
2 *may be necessary.*

3 *PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY*

4 *FUND*

5 *For financing the unfunded liability of new and in-*  
6 *creased annuity benefits becoming effective on or after Octo-*  
7 *ber 20, 1969, as authorized by 5 U.S.C. 8348, and annuities*  
8 *under special Acts to be credited to the Civil Service Retire-*  
9 *ment and Disability Fund, such sums as may be necessary:*  
10 *Provided, That annuities authorized by the Act of May 29,*  
11 *1944, as amended, and the Act of August 19, 1950, as*  
12 *amended (33 U.S.C. 771–775), may hereafter be paid out*  
13 *of the Civil Service Retirement and Disability Fund.*

14 *OFFICE OF SPECIAL COUNSEL*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses to carry out functions of the*  
17 *Office of Special Counsel pursuant to Reorganization Plan*  
18 *Numbered 2 of 1978, the Civil Service Reform Act of 1978*  
19 *(Public Law 95–454), the Whistleblower Protection Act of*  
20 *1989 (Public Law 101–12), Public Law 103–424, and the*  
21 *Uniformed Services Employment and Reemployment Act of*  
22 *1994 (Public Law 103–353), including services as author-*  
23 *ized by 5 U.S.C. 3109, payment of fees and expenses for*  
24 *witnesses, rental of conference rooms in the District of Co-*  
25 *lumbia and elsewhere, and hire of passenger motor vehicles;*  
26 *\$12,434,000.*

1                    *UNITED STATES TAX COURT*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses, including contract reporting*  
4 *and other services as authorized by 5 U.S.C. 3109,*  
5 *\$37,305,000: Provided, That travel expenses of the judges*  
6 *shall be paid upon the written certificate of the judge.*

7            *WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT*  
8                    *OF REMEMBRANCE*

9            *For necessary expenses of the White House Commission*  
10 *on the National Moment of Remembrance, as authorized by*  
11 *Public Law 106–579, \$250,000.*

12            *This title may be cited as the “Independent Agencies*  
13 *Appropriations Act, 2003”.*

14                    *TITLE V—GENERAL PROVISIONS*15                    *THIS ACT*

16            *SEC. 501. No part of any appropriation contained in*  
17 *this Act shall remain available for obligation beyond the*  
18 *current fiscal year unless expressly so provided herein.*

19            *SEC. 502. The expenditure of any appropriation under*  
20 *this Act for any consulting service through procurement*  
21 *contract, pursuant to 5 U.S.C. 3109, shall be limited to*  
22 *those contracts where such expenditures are a matter of pub-*  
23 *lic record and available for public inspection, except where*  
24 *otherwise provided under existing law, or under existing*  
25 *Executive order issued pursuant to existing law.*

1       *SEC. 503. None of the funds made available by this*  
2 *Act shall be available for any activity or for paying the*  
3 *salary of any Government employee where funding an ac-*  
4 *tivity or paying a salary to a Government employee would*  
5 *result in a decision, determination, rule, regulation, or pol-*  
6 *icy that would prohibit the enforcement of section 307 of*  
7 *the Tariff Act of 1930.*

8       *SEC. 504. No part of any appropriation contained in*  
9 *this Act shall be available to pay the salary for any person*  
10 *filling a position, other than a temporary position, formerly*  
11 *held by an employee who has left to enter the Armed Forces*  
12 *of the United States and has satisfactorily completed his*  
13 *period of active military or naval service, and has within*  
14 *90 days after his release from such service or from hos-*  
15 *pitalization continuing after discharge for a period of not*  
16 *more than 1 year, made application for restoration to his*  
17 *former position and has been certified by the Office of Per-*  
18 *sonnel Management as still qualified to perform the duties*  
19 *of his former position and has not been restored thereto.*

20       *SEC. 505. No funds appropriated pursuant to this Act*  
21 *may be expended by an entity unless the entity agrees that*  
22 *in expending the assistance the entity will comply with sec-*  
23 *tions 2 through 4 of the Act of the Buy American Act (41*  
24 *U.S.C. 10a–10c).*

1        *SEC. 506. (a) PURCHASE OF AMERICAN-MADE EQUIP-*  
2 *MENT AND PRODUCTS.—In the case of any equipment or*  
3 *products that may be authorized to be purchased with fi-*  
4 *nancial assistance provided under this Act, it is the sense*  
5 *of the Congress that entities receiving such assistance*  
6 *should, in expending the assistance, purchase only Amer-*  
7 *ican-made equipment and products.*

8        *(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In pro-*  
9 *viding financial assistance under this Act, the Secretary of*  
10 *the Treasury shall provide to each recipient of the assistance*  
11 *a notice describing the statement made in subsection (a)*  
12 *by the Congress.*

13        *SEC. 507. If it has been finally determined by a court*  
14 *or Federal agency that any person intentionally affixed a*  
15 *label bearing a “Made in America” inscription, or any in-*  
16 *scription with the same meaning, to any product sold in*  
17 *or shipped to the United States that is not made in the*  
18 *United States, such person shall be ineligible to receive any*  
19 *contract or subcontract made with funds provided pursuant*  
20 *to this Act, pursuant to the debarment, suspension, and in-*  
21 *eligibility procedures described in sections 9.400 through*  
22 *9.409 of title 48, Code of Federal Regulations.*

23        *SEC. 508. Except as otherwise specifically provided by*  
24 *law, not to exceed 50 percent of unobligated balances re-*  
25 *maining available at the end of fiscal year 2003 from ap-*

1 *appropriations made available for salaries and expenses for*  
2 *fiscal year 2003 in this Act, shall remain available through*  
3 *September 30, 2004, for each such account for the purposes*  
4 *authorized: Provided, That a request shall be submitted to*  
5 *the Committees on Appropriations for approval prior to the*  
6 *expenditure of such funds: Provided further, That these re-*  
7 *quests shall be made in compliance with reprogramming*  
8 *guidelines.*

9       *SEC. 509. None of the funds made available in this*  
10 *Act may be used by the Executive Office of the President*  
11 *to request from the Federal Bureau of Investigation any of-*  
12 *ficial background investigation report on any individual,*  
13 *except when—*

14             *(1) such individual has given his or her express*  
15 *written consent for such request not more than 6*  
16 *months prior to the date of such request and during*  
17 *the same presidential administration; or*

18             *(2) such request is required due to extraordinary*  
19 *circumstances involving national security.*

20       *SEC. 510. The cost accounting standards promulgated*  
21 *under section 26 of the Office of Federal Procurement Policy*  
22 *Act (Public Law 93–400; 41 U.S.C. 422) shall not apply*  
23 *with respect to a contract under the Federal Employees*  
24 *Health Benefits Program established under chapter 89 of*  
25 *title 5, United States Code.*

1        *SEC. 511. For the purpose of resolving litigation and*  
2 *implementing any settlement agreements regarding the non-*  
3 *foreign area cost-of-living allowance program, the Office of*  
4 *Personnel Management may accept and utilize (without re-*  
5 *gard to any restriction on unanticipated travel expenses*  
6 *imposed in an Appropriations Act) funds made available*  
7 *to the Office pursuant to court approval.*

8        *SEC. 512. No funds appropriated or otherwise made*  
9 *available under this Act shall be made available to any per-*  
10 *son or entity that has been convicted of violating the Buy*  
11 *American Act (41 U.S.C. 10a–10c).*

12        *SEC. 513. None of the funds provided in this Act may*  
13 *be used to procure any products, articles, goods, or wares*  
14 *mined, manufactured, or produced wholly or in part by*  
15 *forced or indentured child labor as identified in the 1995*  
16 *U.S. Department of Labor Report on Forced and Bonded*  
17 *Child Labor, the 2002 U.S. Department of Labor Findings*  
18 *on the Worst Forms of Child Labor, or the most recent U.S.*  
19 *Department of State Human Rights Country Reports.*

20        *SEC. 514. ENDOWMENT FOR PRESIDENTIAL LIBRAR-*  
21 *IES. Section 2112(g) of title 44, United States Code, is*  
22 *amended by adding at the end the following:*

23                *“(5)(A) Notwithstanding paragraphs (3) and (4)*  
24                *(to the extent that such paragraphs are inconsistent*  
25                *with this paragraph), this subsection shall be admin-*

1 *istered in accordance with this paragraph with re-*  
2 *spect to any Presidential archival depository created*  
3 *as a depository for the papers, documents, and other*  
4 *historical materials and Presidential records per-*  
5 *taining to any President who takes the oath of office*  
6 *as President for the first time on or after July 1,*  
7 *2002.*

8 *“(B) For purposes of subparagraphs (A)(ii),*  
9 *(B)(i)(II), and (B)(ii)(II) of paragraph (3) the per-*  
10 *centage of 40 percent shall apply instead of 20 per-*  
11 *cent.*

12 *“(C)(i) In this subparagraph, the term ‘base en-*  
13 *dowment amount’ means the amount of the endow-*  
14 *ment required under paragraph (3).*

15 *“(i)(I) The Archivist may give credits against*  
16 *the base endowment amount if the Archivist deter-*  
17 *mines that the proposed Presidential archival deposi-*  
18 *tory will have construction features or equipment that*  
19 *are expected to result in quantifiable long-term sav-*  
20 *ings to the Government with respect to the cost of fa-*  
21 *cility operations.*

22 *“(II) The features and equipment described*  
23 *under subclause (I) shall comply with the standards*  
24 *promulgated by the Archivist under subsection (a)(2).*



1           “(III) The Archivist shall promulgate standards  
2           to be used in calculating the dollar amount of any  
3           credit to be given, and shall consult with all donors  
4           of the endowment before giving any credits. The total  
5           dollar amount of credits given under this paragraph  
6           may not exceed 20 percent of the base endowment  
7           amount.

8           “(D)(i) In calculating the additional endowment  
9           amount required under paragraph (4), the Archivist  
10          shall take into account credits given under subpara-  
11          graph (C), and may also give credits against the ad-  
12          ditional endowment amount required under para-  
13          graph (4), if the Archivist determines that construc-  
14          tion features or equipment used in making or equip-  
15          ping the physical or material change or addition are  
16          expected to result in quantifiable long-term savings to  
17          the Government with respect to the cost of facility op-  
18          erations.

19          “(ii) The features and equipment described  
20          under clause (i) shall comply with the standards pro-  
21          mulgated by the Archivist under subsection (a)(2).

22          “(iii) The Archivist shall promulgate standards  
23          to be used in calculating the dollar amount of any  
24          credit to be given, and shall consult with all donors  
25          of the endowment before giving any credits. The total

1       *dollar amount of credits given under this paragraph*  
2       *may not exceed 20 percent of the additional endow-*  
3       *ment amount required under paragraph (4).”.*

4                   *TITLE VI—GENERAL PROVISIONS*

5                   *DEPARTMENTS, AGENCIES, AND CORPORATIONS*

6       *SEC. 601. Funds appropriated in this or any other Act*  
7       *may be used to pay travel to the United States for the im-*  
8       *mediate family of employees serving abroad in cases of*  
9       *death or life threatening illness of said employee.*

10       *SEC. 602. No department, agency, or instrumentality*  
11       *of the United States receiving appropriated funds under*  
12       *this or any other Act for fiscal year 2003 shall obligate or*  
13       *expend any such funds, unless such department, agency, or*  
14       *instrumentality has in place, and will continue to admin-*  
15       *ister in good faith, a written policy designed to ensure that*  
16       *all of its workplaces are free from the illegal use, possession,*  
17       *or distribution of controlled substances (as defined in the*  
18       *Controlled Substances Act) by the officers and employees of*  
19       *such department, agency, or instrumentality.*

20       *SEC. 603. Unless otherwise specifically provided, the*  
21       *maximum amount allowable during the current fiscal year*  
22       *in accordance with section 16 of the Act of August 2, 1946*  
23       *(60 Stat. 810), for the purchase of any passenger motor ve-*  
24       *hicle (exclusive of buses, ambulances, law enforcement, and*  
25       *undercover surveillance vehicles), is hereby fixed at \$8,100*

1 *except station wagons for which the maximum shall be*  
2 *\$9,100: Provided, That these limits may be exceeded by not*  
3 *to exceed \$3,700 for police-type vehicles, and by not to ex-*  
4 *ceed \$4,000 for special heavy-duty vehicles: Provided fur-*  
5 *ther, That the limits set forth in this section may not be*  
6 *exceeded by more than 5 percent for electric or hybrid vehi-*  
7 *cles purchased for demonstration under the provisions of the*  
8 *Electric and Hybrid Vehicle Research, Development, and*  
9 *Demonstration Act of 1976: Provided further, That the lim-*  
10 *its set forth in this section may be exceeded by the incre-*  
11 *mental cost of clean alternative fuels vehicles acquired pur-*  
12 *suant to Public Law 101-549 over the cost of comparable*  
13 *conventionally fueled vehicles.*

14       *SEC. 604. Appropriations of the executive departments*  
15 *and independent establishments for the current fiscal year*  
16 *available for expenses of travel, or for the expenses of the*  
17 *activity concerned, are hereby made available for quarters*  
18 *allowances and cost-of-living allowances, in accordance*  
19 *with 5 U.S.C. 5922-5924.*

20       *SEC. 605. Unless otherwise specified during the current*  
21 *fiscal year, no part of any appropriation contained in this*  
22 *or any other Act shall be used to pay the compensation of*  
23 *any officer or employee of the Government of the United*  
24 *States (including any agency the majority of the stock of*  
25 *which is owned by the Government of the United States)*

1 *whose post of duty is in the continental United States un-*  
2 *less such person: (1) is a citizen of the United States; (2)*  
3 *is a person in the service of the United States on the date*  
4 *of the enactment of this Act who, being eligible for citizen-*  
5 *ship, has filed a declaration of intention to become a citizen*  
6 *of the United States prior to such date and is actually re-*  
7 *siding in the United States; (3) is a person who owes alle-*  
8 *giance to the United States; (4) is an alien from Cuba, Po-*  
9 *land, South Vietnam, the countries of the former Soviet*  
10 *Union, or the Baltic countries lawfully admitted to the*  
11 *United States for permanent residence; (5) is a South Viet-*  
12 *namese, Cambodian, or Laotian refugee paroled in the*  
13 *United States after January 1, 1975; or (6) is a national*  
14 *of the People's Republic of China who qualifies for adjust-*  
15 *ment of status pursuant to the Chinese Student Protection*  
16 *Act of 1992: Provided, That for the purpose of this section,*  
17 *an affidavit signed by any such person shall be considered*  
18 *prima facie evidence that the requirements of this section*  
19 *with respect to his or her status have been complied with:*  
20 *Provided further, That any person making a false affidavit*  
21 *shall be guilty of a felony, and, upon conviction, shall be*  
22 *fined no more than \$4,000 or imprisoned for not more than*  
23 *1 year, or both: Provided further, That the above penal*  
24 *clause shall be in addition to, and not in substitution for,*  
25 *any other provisions of existing law: Provided further, That*

1 *any payment made to any officer or employee contrary to*  
2 *the provisions of this section shall be recoverable in action*  
3 *by the Federal Government. This section shall not apply*  
4 *to citizens of Ireland, Israel, or the Republic of the Phil-*  
5 *ippines, or to nationals of those countries allied with the*  
6 *United States in a current defense effort, or to international*  
7 *broadcasters employed by the United States Information*  
8 *Agency, or to temporary employment of translators, or to*  
9 *temporary employment in the field service (not to exceed*  
10 *60 days) as a result of emergencies.*

11 *SEC. 606. Appropriations available to any department*  
12 *or agency during the current fiscal year for necessary ex-*  
13 *penses, including maintenance or operating expenses, shall*  
14 *also be available for payment to the General Services Ad-*  
15 *ministration for charges for space and services and those*  
16 *expenses of renovation and alteration of buildings and fa-*  
17 *cilities which constitute public improvements performed in*  
18 *accordance with the Public Buildings Act of 1959 (73 Stat.*  
19 *749), the Public Buildings Amendments of 1972 (87 Stat.*  
20 *216), or other applicable law.*

21 *SEC. 607. In addition to funds provided in this or any*  
22 *other Act, all Federal agencies are authorized to receive and*  
23 *use funds resulting from the sale of materials, including*  
24 *Federal records disposed of pursuant to a records schedule*  
25 *recovered through recycling or waste prevention programs.*

1 *Such funds shall be available until expended for the fol-*  
2 *lowing purposes:*

3           (1) *Acquisition, waste reduction and prevention,*  
4 *and recycling programs as described in Executive*  
5 *Order No. 13101 (September 14, 1998), including any*  
6 *such programs adopted prior to the effective date of*  
7 *the Executive order.*

8           (2) *Other Federal agency environmental manage-*  
9 *ment programs, including, but not limited to, the de-*  
10 *velopment and implementation of hazardous waste*  
11 *management and pollution prevention programs.*

12           (3) *Other employee programs as authorized by*  
13 *law or as deemed appropriate by the head of the Fed-*  
14 *eral agency.*

15       *SEC. 608. Funds made available by this or any other*  
16 *Act for administrative expenses in the current fiscal year*  
17 *of the corporations and agencies subject to chapter 91 of*  
18 *title 31, United States Code, shall be available, in addition*  
19 *to objects for which such funds are otherwise available, for*  
20 *rent in the District of Columbia; services in accordance*  
21 *with 5 U.S.C. 3109; and the objects specified under this*  
22 *head, all the provisions of which shall be applicable to the*  
23 *expenditure of such funds unless otherwise specified in the*  
24 *Act by which they are made available: Provided, That in*  
25 *the event any functions budgeted as administrative expenses*

1 *are subsequently transferred to or paid from other funds,*  
2 *the limitations on administrative expenses shall be cor-*  
3 *respondingly reduced.*

4       *SEC. 609. No part of any appropriation for the current*  
5 *fiscal year contained in this or any other Act shall be paid*  
6 *to any person for the filling of any position for which he*  
7 *or she has been nominated after the Senate has voted not*  
8 *to approve the nomination of said person.*

9       *SEC. 610. No part of any appropriation contained in*  
10 *this or any other Act shall be available for interagency fi-*  
11 *nancing of boards (except Federal Executive Boards), com-*  
12 *missions, councils, committees, or similar groups (whether*  
13 *or not they are interagency entities) which do not have a*  
14 *prior and specific statutory approval to receive financial*  
15 *support from more than one agency or instrumentality.*

16       *SEC. 611. Funds made available by this or any other*  
17 *Act to the Postal Service Fund (39 U.S.C. 2003) shall be*  
18 *available for employment of guards for all buildings and*  
19 *areas owned or occupied by the Postal Service and under*  
20 *the charge and control of the Postal Service, and such*  
21 *guards shall have, with respect to such property, the powers*  
22 *of special policemen provided by the first section of the Act*  
23 *of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318),*  
24 *and, as to property owned or occupied by the Postal Service,*  
25 *the Postmaster General may take the same actions as the*

1 *Administrator of General Services may take under the pro-*  
2 *visions of sections 2 and 3 of the Act of June 1, 1948, as*  
3 *amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attach-*  
4 *ing thereto penal consequences under the authority and*  
5 *within the limits provided in section 4 of the Act of June*  
6 *1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).*

7       *SEC. 612. None of the funds made available pursuant*  
8 *to the provisions of this Act shall be used to implement,*  
9 *administer, or enforce any regulation which has been dis-*  
10 *approved pursuant to a resolution of disapproval duly*  
11 *adopted in accordance with the applicable law of the United*  
12 *States.*

13       *SEC. 613. (a) Notwithstanding any other provision of*  
14 *law, and except as otherwise provided in this section, no*  
15 *part of any of the funds appropriated for fiscal year 2003,*  
16 *by this or any other Act, may be used to pay any prevailing*  
17 *rate employee described in section 5342(a)(2)(A) of title 5,*  
18 *United States Code—*

19               *(1) during the period from the date of expiration*  
20 *of the limitation imposed by section 613 of the Treas-*  
21 *ury and General Government Appropriations Act,*  
22 *2002, until the normal effective date of the applicable*  
23 *wage survey adjustment that is to take effect in fiscal*  
24 *year 2003, in an amount that exceeds the rate pay-*  
25 *able for the applicable grade and step of the applica-*



1        *ble wage schedule in accordance with such section*  
2        *613; and*

3            *(2) during the period consisting of the remainder*  
4        *of fiscal year 2003, in an amount that exceeds, as a*  
5        *result of a wage survey adjustment, the rate payable*  
6        *under paragraph (1) by more than the sum of—*

7            *(A) the percentage adjustment taking effect*  
8        *in fiscal year 2003 under section 5303 of title 5,*  
9        *United States Code, in the rates of pay under the*  
10       *General Schedule; and*

11           *(B) the difference between the overall aver-*  
12       *age percentage of the locality-based com-*  
13       *parability payments taking effect in fiscal year*  
14       *2003 under section 5304 of such title (whether by*  
15       *adjustment or otherwise), and the overall average*  
16       *percentage of such payments which was effective*  
17       *in fiscal year 2002 under such section.*

18        *(b) Notwithstanding any other provision of law, no*  
19       *prevailing rate employee described in subparagraph (B) or*  
20       *(C) of section 5342(a)(2) of title 5, United States Code, and*  
21       *no employee covered by section 5348 of such title, may be*  
22       *paid during the periods for which subsection (a) is in effect*  
23       *at a rate that exceeds the rates that would be payable under*  
24       *subsection (a) were subsection (a) applicable to such em-*  
25       *ployee.*

1       (c) For the purposes of this section, the rates payable  
2 to an employee who is covered by this section and who is  
3 paid from a schedule not in existence on September 30,  
4 2002, shall be determined under regulations prescribed by  
5 the Office of Personnel Management.

6       (d) Notwithstanding any other provision of law, rates  
7 of premium pay for employees subject to this section may  
8 not be changed from the rates in effect on September 30,  
9 2002, except to the extent determined by the Office of Per-  
10 sonnel Management to be consistent with the purpose of this  
11 section.

12       (e) This section shall apply with respect to pay for  
13 service performed after September 30, 2002.

14       (f) For the purpose of administering any provision of  
15 law (including any rule or regulation that provides pre-  
16 mium pay, retirement, life insurance, or any other em-  
17 ployee benefit) that requires any deduction or contribution,  
18 or that imposes any requirement or limitation on the basis  
19 of a rate of salary or basic pay, the rate of salary or basic  
20 pay payable after the application of this section shall be  
21 treated as the rate of salary or basic pay.

22       (g) Nothing in this section shall be considered to per-  
23 mit or require the payment to any employee covered by this  
24 section at a rate in excess of the rate that would be payable  
25 were this section not in effect.

1        *(h) The Office of Personnel Management may provide*  
2 *for exceptions to the limitations imposed by this section if*  
3 *the Office determines that such exceptions are necessary to*  
4 *ensure the recruitment or retention of qualified employees.*

5        *SEC. 614. During the period in which the head of any*  
6 *department or agency, or any other officer or civilian em-*  
7 *ployee of the Government appointed by the President of the*  
8 *United States, holds office, no funds may be obligated or*  
9 *expended in excess of \$5,000 to furnish or redecorate the*  
10 *office of such department head, agency head, officer, or em-*  
11 *ployee, or to purchase furniture or make improvements for*  
12 *any such office, unless advance notice of such furnishing*  
13 *or redecoration is expressly approved by the Committees on*  
14 *Appropriations. For the purposes of this section, the term*  
15 *“office” shall include the entire suite of offices assigned to*  
16 *the individual, as well as any other space used primarily*  
17 *by the individual or the use of which is directly controlled*  
18 *by the individual.*

19        *SEC. 615. Notwithstanding any other provision of law,*  
20 *no executive branch agency shall purchase, construct, and/*  
21 *or lease any additional facilities, except within or contig-*  
22 *uous to existing locations, to be used for the purpose of con-*  
23 *ducting Federal law enforcement training without the ad-*  
24 *vance approval of the Committees on Appropriations, ex-*  
25 *cept that the Federal Law Enforcement Training Center is*

1 *authorized to obtain the temporary use of additional facili-*  
2 *ties by lease, contract, or other agreement for training*  
3 *which cannot be accommodated in existing Center facilities.*

4       *SEC. 616. Notwithstanding section 1346 of title 31,*  
5 *United States Code, or section 610 of this Act, funds made*  
6 *available for the current fiscal year by this or any other*  
7 *Act shall be available for the interagency funding of na-*  
8 *tional security and emergency preparedness telecommuni-*  
9 *cations initiatives which benefit multiple Federal depart-*  
10 *ments, agencies, or entities, as provided by Executive Order*  
11 *No. 12472 (April 3, 1984).*

12       *SEC. 617. (a) None of the funds appropriated by this*  
13 *or any other Act may be obligated or expended by any Fed-*  
14 *eral department, agency, or other instrumentality for the*  
15 *salaries or expenses of any employee appointed to a position*  
16 *of a confidential or policy-determining character excepted*  
17 *from the competitive service pursuant to section 3302 of*  
18 *title 5, United States Code, without a certification to the*  
19 *Office of Personnel Management from the head of the Fed-*  
20 *eral department, agency, or other instrumentality employ-*  
21 *ing the Schedule C appointee that the Schedule C position*  
22 *was not created solely or primarily in order to detail the*  
23 *employee to the White House.*

1       (b) *The provisions of this section shall not apply to*  
2 *Federal employees or members of the armed services detailed*  
3 *to or from—*

4           (1) *the Central Intelligence Agency;*

5           (2) *the National Security Agency;*

6           (3) *the Defense Intelligence Agency;*

7           (4) *the offices within the Department of Defense*  
8 *for the collection of specialized national foreign intel-*  
9 *ligence through reconnaissance programs;*

10          (5) *the Bureau of Intelligence and Research of*  
11 *the Department of State;*

12          (6) *any agency, office, or unit of the Army,*  
13 *Navy, Air Force, and Marine Corps, the Federal Bu-*  
14 *reau of Investigation and the Drug Enforcement Ad-*  
15 *ministration of the Department of Justice, the De-*  
16 *partment of Transportation, the Department of the*  
17 *Treasury, and the Department of Energy performing*  
18 *intelligence functions; and*

19          (7) *the Director of Central Intelligence.*

20       *SEC. 618. No department, agency, or instrumentality*  
21 *of the United States receiving appropriated funds under*  
22 *this or any other Act for the current fiscal year shall obli-*  
23 *gate or expend any such funds, unless such department,*  
24 *agency, or instrumentality has in place, and will continue*  
25 *to administer in good faith, a written policy designed to*

1 *ensure that all of its workplaces are free from discrimina-*  
2 *tion and sexual harassment and that all of its workplaces*  
3 *are not in violation of title VII of the Civil Rights Act of*  
4 *1964, as amended, the Age Discrimination in Employment*  
5 *Act of 1967, and the Rehabilitation Act of 1973.*

6 *SEC. 619. None of the funds made available in this*  
7 *Act for the United States Customs Service may be used to*  
8 *allow—*

9 *(1) the importation into the United States of*  
10 *any good, ware, article, or merchandise mined, pro-*  
11 *duced, or manufactured by forced or indentured child*  
12 *labor, as determined pursuant to section 307 of the*  
13 *Tariff Act of 1930 (19 U.S.C. 1307); or*

14 *(2) the release into the United States of any*  
15 *good, ware, article, or merchandise on which the*  
16 *United States Customs Service has in effect a deten-*  
17 *tion order, pursuant to such section 307, on the basis*  
18 *that the good, ware, article, or merchandise may have*  
19 *been mined, produced, or manufactured by forced or*  
20 *indentured child labor.*

21 *SEC. 620. No part of any appropriation contained in*  
22 *this or any other Act shall be available for the payment*  
23 *of the salary of any officer or employee of the Federal Gov-*  
24 *ernment, who—*

1           (1) *prohibits or prevents, or attempts or threat-*  
2           *ens to prohibit or prevent, any other officer or em-*  
3           *ployee of the Federal Government from having any*  
4           *direct oral or written communication or contact with*  
5           *any Member, committee, or subcommittee of the Con-*  
6           *gress in connection with any matter pertaining to the*  
7           *employment of such other officer or employee or per-*  
8           *taining to the department or agency of such other of-*  
9           *ficer or employee in any way, irrespective of whether*  
10          *such communication or contact is at the initiative of*  
11          *such other officer or employee or in response to the re-*  
12          *quest or inquiry of such Member, committee, or sub-*  
13          *committee; or*

14          (2) *removes, suspends from duty without pay,*  
15          *demotes, reduces in rank, seniority, status, pay, or*  
16          *performance of efficiency rating, denies promotion to,*  
17          *relocates, reassigns, transfers, disciplines, or discrimi-*  
18          *nates in regard to any employment right, entitlement,*  
19          *or benefit, or any term or condition of employment of,*  
20          *any other officer or employee of the Federal Govern-*  
21          *ment, or attempts or threatens to commit any of the*  
22          *foregoing actions with respect to such other officer or*  
23          *employee, by reason of any communication or contact*  
24          *of such other officer or employee with any Member,*

1       committee, or subcommittee of the Congress as de-  
2       scribed in paragraph (1).

3       SEC. 621. (a) None of the funds made available in this  
4       or any other Act may be obligated or expended for any em-  
5       ployee training that—

6               (1) does not meet identified needs for knowledge,  
7       skills, and abilities bearing directly upon the perform-  
8       ance of official duties;

9               (2) contains elements likely to induce high levels  
10      of emotional response or psychological stress in some  
11      participants;

12              (3) does not require prior employee notification  
13      of the content and methods to be used in the training  
14      and written end of course evaluation;

15              (4) contains any methods or content associated  
16      with religious or quasi-religious belief systems or  
17      “new age” belief systems as defined in Equal Employ-  
18      ment Opportunity Commission Notice N-915.022,  
19      dated September 2, 1988; or

20              (5) is offensive to, or designed to change, partici-  
21      pants’ personal values or lifestyle outside the work-  
22      place.

23       (b) Nothing in this section shall prohibit, restrict, or  
24      otherwise preclude an agency from conducting training  
25      bearing directly upon the performance of official duties.



1        *SEC. 622. No funds appropriated in this or any other*  
2 *Act may be used to implement or enforce the agreements*  
3 *in Standard Forms 312 and 4414 of the Government or*  
4 *any other nondisclosure policy, form, or agreement if such*  
5 *policy, form, or agreement does not contain the following*  
6 *provisions: “These restrictions are consistent with and do*  
7 *not supersede, conflict with, or otherwise alter the employee*  
8 *obligations, rights, or liabilities created by Executive Order*  
9 *No. 12958; section 7211 of title 5, United States Code (gov-*  
10 *erning disclosures to Congress); section 1034 of title 10,*  
11 *United States Code, as amended by the Military Whistle-*  
12 *blower Protection Act (governing disclosure to Congress by*  
13 *members of the military); section 2302(b)(8) of title 5,*  
14 *United States Code, as amended by the Whistleblower Pro-*  
15 *tection Act (governing disclosures of illegality, waste, fraud,*  
16 *abuse or public health or safety threats); the Intelligence*  
17 *Identities Protection Act of 1982 (50 U.S.C. 421 et seq.)*  
18 *(governing disclosures that could expose confidential Gov-*  
19 *ernment agents); and the statutes which protect against dis-*  
20 *closure that may compromise the national security, includ-*  
21 *ing sections 641, 793, 794, 798, and 952 of title 18, United*  
22 *States Code, and section 4(b) of the Subversive Activities*  
23 *Act of 1950 (50 U.S.C. 783(b)). The definitions, require-*  
24 *ments, obligations, rights, sanctions, and liabilities created*  
25 *by said Executive order and listed statutes are incorporated*

1 *into this agreement and are controlling.”: Provided, That*  
2 *notwithstanding the preceding paragraph, a nondisclosure*  
3 *policy form or agreement that is to be executed by a person*  
4 *connected with the conduct of an intelligence or intelligence-*  
5 *related activity, other than an employee or officer of the*  
6 *United States Government, may contain provisions appro-*  
7 *priate to the particular activity for which such document*  
8 *is to be used. Such form or agreement shall, at a minimum,*  
9 *require that the person will not disclose any classified infor-*  
10 *mation received in the course of such activity unless specifi-*  
11 *cally authorized to do so by the United States Government.*  
12 *Such nondisclosure forms shall also make it clear that they*  
13 *do not bar disclosures to Congress or to an authorized offi-*  
14 *cial of an executive agency or the Department of Justice*  
15 *that are essential to reporting a substantial violation of*  
16 *law.*

17       *SEC. 623. No part of any funds appropriated in this*  
18 *or any other Act shall be used by an agency of the executive*  
19 *branch, other than for normal and recognized executive-leg-*  
20 *islative relationships, for publicity or propaganda pur-*  
21 *poses, and for the preparation, distribution or use of any*  
22 *kit, pamphlet, booklet, publication, radio, television or film*  
23 *presentation designed to support or defeat legislation pend-*  
24 *ing before the Congress, except in presentation to the Con-*  
25 *gress itself.*

1        *SEC. 624. None of the funds appropriated by this or*  
2 *any other Act may be used by an agency to provide a Fed-*  
3 *eral employee's home address to any labor organization ex-*  
4 *cept when the employee has authorized such disclosure or*  
5 *when such disclosure has been ordered by a court of com-*  
6 *petent jurisdiction.*

7        *SEC. 625. None of the funds made available in this*  
8 *Act or any other Act may be used to provide any non-public*  
9 *information such as mailing or telephone lists to any per-*  
10 *son or any organization outside of the Federal Government*  
11 *without the approval of the Committees on Appropriations.*

12        *SEC. 626. No part of any appropriation contained in*  
13 *this or any other Act shall be used for publicity or propa-*  
14 *ganda purposes within the United States not heretofore au-*  
15 *thorized by the Congress.*

16        *SEC. 627. (a) In this section the term "agency"—*

17            *(1) means an Executive agency as defined under*  
18 *section 105 of title 5, United States Code;*

19            *(2) includes a military department as defined*  
20 *under section 102 of such title, the Postal Service, and*  
21 *the Postal Rate Commission; and*

22            *(3) shall not include the General Accounting Of-*  
23 *fice.*

24            *(b) Unless authorized in accordance with law or regu-*  
25 *lations to use such time for other purposes, an employee*

1 of an agency shall use official time in an honest effort to  
2 perform official duties. An employee not under a leave sys-  
3 tem, including a Presidential appointee exempted under  
4 section 6301(2) of title 5, United States Code, has an obliga-  
5 tion to expend an honest effort and a reasonable proportion  
6 of such employee's time in the performance of official duties.

7       *SEC. 628. Notwithstanding 31 U.S.C. 1346 and section*  
8 *610 of this Act, funds made available for the current fiscal*  
9 *year by this or any other Act to any department or agency,*  
10 *which is a member of the Joint Financial Management Im-*  
11 *provement Program (JFMIP), shall be available to finance*  
12 *an appropriate share of JFMIP administrative costs, as de-*  
13 *termined by the JFMIP, but not to exceed a total of*  
14 *\$800,000 including the salary of the Executive Director and*  
15 *staff support.*

16       *SEC. 629. Notwithstanding 31 U.S.C. 1346 and section*  
17 *610 of this Act, the head of each Executive department and*  
18 *agency is hereby authorized to transfer to or reimburse the*  
19 *"Policy and Citizen Services" account, General Services*  
20 *Administration, with the approval of the Director of the*  
21 *Office of Management and Budget, funds made available*  
22 *for the current fiscal year by this or any other Act, includ-*  
23 *ing rebates from charge card and other contracts. These*  
24 *funds shall be administered by the Administrator of General*  
25 *Services to support Government-wide financial, informa-*

1 *tion technology, procurement, and other management inno-*  
2 *vations, initiatives, and activities, as approved by the Di-*  
3 *rector of the Office of Management and Budget, in consulta-*  
4 *tion with the appropriate interagency groups designated by*  
5 *the Director (including the Chief Financial Officers Council*  
6 *and the Joint Financial Management Improvement Pro-*  
7 *gram for financial management initiatives, the Chief Infor-*  
8 *mation Officers Council for information technology initia-*  
9 *tives, and the Procurement Executives Council for procure-*  
10 *ment initiatives). The total funds transferred or reimbursed*  
11 *shall not exceed \$17,000,000. Such transfers or reimburse-*  
12 *ments may only be made 15 days following notification of*  
13 *the Committees on Appropriations by the Director of the*  
14 *Office of Management and Budget.*

15       *SEC. 630. Notwithstanding any other provision of law,*  
16 *a woman may breastfeed her child at any location in a*  
17 *Federal building or on Federal property, if the woman and*  
18 *her child are otherwise authorized to be present at the loca-*  
19 *tion.*

20       *SEC. 631. Notwithstanding section 1346 of title 31,*  
21 *United States Code, or section 610 of this Act, funds made*  
22 *available for the current fiscal year by this or any other*  
23 *Act shall be available for the interagency funding of specific*  
24 *projects, workshops, studies, and similar efforts to carry out*  
25 *the purposes of the National Science and Technology Coun-*

1 *cil (authorized by Executive Order No. 12881), which ben-*  
2 *efit multiple Federal departments, agencies, or entities:*  
3 *Provided, That the Office of Management and Budget shall*  
4 *provide a report describing the budget of and resources con-*  
5 *nected with the National Science and Technology Council*  
6 *to the Committees on Appropriations, the House Committee*  
7 *on Science; and the Senate Committee on Commerce,*  
8 *Science, and Transportation 90 days after enactment of this*  
9 *Act.*

10 *SEC. 632. Any request for proposals, solicitation, grant*  
11 *application, form, notification, press release, or other publi-*  
12 *cations involving the distribution of Federal funds shall in-*  
13 *dicating the agency providing the funds and the amount pro-*  
14 *vided. This provision shall apply to direct payments, for-*  
15 *mula funds, and grants received by a State receiving Fed-*  
16 *eral funds.*

17 *SEC. 633. Section 403(f) of Public Law 103-356 (31*  
18 *U.S.C. 501 note) is amended by striking "October 1, 2002"*  
19 *and inserting "October 1, 2003".*

20 *SEC. 634. (a) PROHIBITION OF FEDERAL AGENCY*  
21 *MONITORING OF PERSONAL INFORMATION ON USE OF*  
22 *INTERNET.—None of the funds made available in this or*  
23 *any other Act may be used by any Federal agency—*

24 *(1) to collect, review, or create any aggregate list,*  
25 *derived from any means, that includes the collection*

1       of any personally identifiable information relating to  
2       an individual's access to or use of any Federal Gov-  
3       ernment Internet site of the agency; or

4             (2) to enter into any agreement with a third  
5       party (including another government agency) to col-  
6       lect, review, or obtain any aggregate list, derived from  
7       any means, that includes the collection of any person-  
8       ally identifiable information relating to an individ-  
9       ual's access to or use of any nongovernmental Internet  
10      site.

11      (b) *EXCEPTIONS.*—*The limitations established in sub-*  
12 *section (a) shall not apply to—*

13             (1) any record of aggregate data that does not  
14      identify particular persons;

15             (2) any voluntary submission of personally iden-  
16      tifiable information;

17             (3) any action taken for law enforcement, regu-  
18      latory, or supervisory purposes, in accordance with  
19      applicable law; or

20             (4) any action described in subsection (a)(1) that  
21      is a system security action taken by the operator of  
22      an Internet site and is necessarily incident to the ren-  
23      dition of the Internet site services or to the protection  
24      of the rights or property of the provider of the Inter-  
25      net site.

1       (c) *DEFINITIONS.*—*For the purposes of this section:*

2               (1) *The term “regulatory” means agency actions*  
3 *to implement, interpret or enforce authorities pro-*  
4 *vided in law.*

5               (2) *The term “supervisory” means examinations*  
6 *of the agency’s supervised institutions, including as-*  
7 *sessing safety and soundness, overall financial condi-*  
8 *tion, management practices and policies and compli-*  
9 *ance with applicable standards as provided in law.*

10       *SEC. 635. (a) None of the funds appropriated by this*  
11 *Act may be used to enter into or renew a contract which*  
12 *includes a provision providing prescription drug coverage,*  
13 *except where the contract also includes a provision for con-*  
14 *traceptive coverage.*

15       (i) *Nothing in this section shall apply to a contract*  
16 *with—*

17               (1) *any of the following religious plans:*

18                       (A) *Personal Care’s HMO; and*

19                       (B) *OSF Health Plans, Inc.; and*

20               (2) *any existing or future plan, if the carrier for*  
21 *the plan objects to such coverage on the basis of reli-*  
22 *gious beliefs.*

23       (c) *In implementing this section, any plan that enters*  
24 *into or renews a contract under this section may not subject*  
25 *any individual to discrimination on the basis that the indi-*



1 *vidual refuses to prescribe or otherwise provide for contra-*  
2 *ceptives because such activities would be contrary to the in-*  
3 *dividual's religious beliefs or moral convictions.*

4 *(d) Nothing in this section shall be construed to require*  
5 *coverage of abortion or abortion-related services.*

6 *SEC. 636. The Congress of the United States recognizes*  
7 *the United States Anti-Doping Agency (USADA) as the of-*  
8 *ficial anti-doping agency for Olympic, Pan American, and*  
9 *Paralympic sport in the United States.*

10 *SEC. 637. (a) The adjustment in rates of basic pay*  
11 *for the statutory pay systems that takes effect in fiscal year*  
12 *2003 under sections 5303 and 5304 of title 5, United States*  
13 *Code, shall be an increase of 4.1 percent.*

14 *(b) Funds used to carry out this section shall be paid*  
15 *from appropriations which are made to each applicable de-*  
16 *partment or agency for salaries and expenses for fiscal year*  
17 *2003.*

18 *SEC. 638. Not later than 6 months after the date of*  
19 *enactment of this Act, the Inspector General of each appli-*  
20 *cable department or agency shall submit to the Committee*  
21 *on Appropriations a report detailing what policies and pro-*  
22 *cedures are in place for each department or agency to give*  
23 *first priority to the location of new offices and other facili-*  
24 *ties in rural areas, as directed by the Rural Development*  
25 *Act of 1972.*

1        *SEC. 639. DEFERRAL OF EXPIRATION DATE OF INFOR-*  
2 *MATION SECURITY REQUIREMENTS. Section 3536 of title 44,*  
3 *United States Code, is amended by striking “the date that*  
4 *is two years after the date on which this subchapter takes*  
5 *effect” and inserting “December 31, 2003”.*

6        *SEC. 640. UNITED STATES POSTAL SERVICE. (a) The*  
7 *United States Postal Service (USPS) is required under title*  
8 *5, chapter 83, United States Code, to fund Civil Service*  
9 *Retirement System benefits attributable to USPS employ-*  
10 *ment since 1971.*

11        *(b) The Office of Personnel Management has reviewed*  
12 *the USPS financing of the Civil Service Retirement System*  
13 *and determined current law payments overfund USPS li-*  
14 *ability.*

15        *(c) Therefore, it is the Sense of the Senate that the Con-*  
16 *gress should address the USPS funding of the Civil Service*  
17 *Retirement System pension benefits.*

18        *SEC. 641. SALARIES. No funds shall be used to pay*  
19 *any Federal employee or any employee, member or chair-*  
20 *person of any Federal commission, board, committee, or*  
21 *council an annual salary in excess of the annual salary*  
22 *of the President of the United States.*

23        *SEC. 642. SENSE OF CONGRESS ON PAY PARITY. It*  
24 *is the sense of Congress that there should be parity between*  
25 *the adjustments in the compensation of members of the uni-*

1 *formed services and the adjustments in the compensation*  
2 *of civilian employees of the United States, including blue*  
3 *collar Federal employees paid under the Federal Wage Sys-*  
4 *tem.*

5       *SEC. 643. While nothing in this section shall prevent*  
6 *any agency of the executive branch from subjecting work*  
7 *performed by Federal Government employees or private*  
8 *contractors to public-private competition or conversions,*  
9 *none of the funds made available in this Act may be used*  
10 *by an agency of the executive branch to establish, apply,*  
11 *or enforce any numerical goal, target, or quota for sub-*  
12 *jecting the employees of the executive agency to public-pri-*  
13 *vate competitions or for converting such employees or the*  
14 *work performed by such employees to private contractor*  
15 *performance under the Office of Management and Budget*  
16 *Circular A-76 or any other administrative regulation, di-*  
17 *rective, or policy unless the goal, target, or quota is based*  
18 *on considered research and sound analysis of past activities*  
19 *and is consistent with the stated mission of the executive*  
20 *agency. Nothing in this section shall limit the use of such*  
21 *funds for the administration of the Government Perform-*  
22 *ance and Results Act of 1993 or for the administration of*  
23 *any other provision of law.*

24       *SEC. 644. (a) The Administrator of General Services*  
25 *shall accept all right, title and interest in the property de-*

1 *scribed in subsection (b), if written offer therefore (accom-*  
2 *panied by such proof of title, property descriptions and*  
3 *other information as the Administration may require) is*  
4 *received by the Administrator from the owner of such prop-*  
5 *erty within 12 months after the date of the enactment of*  
6 *this Act.*

7       **(b)** *The property described in this subsection is the*  
8 *property located at 5401 NW Broken Sound Boulevard,*  
9 *Boca Raton, Florida and all improvements thereon.*

10       **(c)** *The United States shall pay an amount that does*  
11 *not exceed \$1 in consideration of any right, title, or interest*  
12 *received by the United States under this section.*

13       *This division may be cited as the “Treasury and Gen-*  
14 *eral Government Appropriations Act, 2003”.*

15 *DIVISION K—VETERANS AFFAIRS AND HOUSING*  
16 *AND URBAN DEVELOPMENT, AND INDE-*  
17 *PENDENT AGENCIES APPROPRIATIONS, 2003*

18 *Making appropriations for the Departments of Veterans*  
19 *Affairs and Housing and Urban Development, and*  
20 *for sundry independent agencies, boards, commis-*  
21 *sions, corporations, and offices for the fiscal year end-*  
22 *ing September 30, 2003, and for other purposes.*

23 *That the following sums are appropriated, out of any*  
24 *money in the Treasury not otherwise appropriated, for the*  
25 *Departments of Veteran Affairs and Housing and Urban*

1 *Development, and for sundry independent agencies, boards,*  
2 *commissions, corporations, and offices for the fiscal year*  
3 *ending September 30, 2003, and for other purposes, namely:*

4 *TITLE I—DEPARTMENT OF VETERANS AFFAIRS*

5 *VETERANS BENEFITS ADMINISTRATION*

6 *COMPENSATION AND PENSIONS*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the payment of compensation benefits to or on be-*  
9 *half of veterans and a pilot program for disability examina-*  
10 *tions as authorized by law (38 U.S.C. 107, chapters 11, 13,*  
11 *18, 51, 53, 55, and 61); pension benefits to or on behalf*  
12 *of veterans as authorized by law (38 U.S.C. chapters 15,*  
13 *51, 53, 55, and 61; 92 Stat. 2508); and burial benefits,*  
14 *emergency and other officers' retirement pay, adjusted-serv-*  
15 *ice credits and certificates, payment of premiums due on*  
16 *commercial life insurance policies guaranteed under the*  
17 *provisions of article IV of the Soldiers' and Sailors' Civil*  
18 *Relief Act of 1940 (50 U.S.C. App. 540 et seq.) and for*  
19 *other benefits as authorized by law (38 U.S.C. 107, 1312,*  
20 *1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C.*  
21 *App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat.*  
22 *1198), \$28,949,000,000, to remain available until expended:*  
23 *Provided, That not to exceed \$17,138,000 of the amount ap-*  
24 *propriated under this heading shall be reimbursed to “Gen-*  
25 *eral operating expenses” and “Medical care” for necessary*  
26 *expenses in implementing those provisions authorized in the*

1 *Omnibus Budget Reconciliation Act of 1990, and in the*  
2 *Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53,*  
3 *and 55), the funding source for which is specifically pro-*  
4 *vided as the "Compensation and pensions" appropriation:*  
5 *Provided further, That such sums as may be earned on an*  
6 *actual qualifying patient basis, shall be reimbursed to*  
7 *"Medical facilities revolving fund" to augment the funding*  
8 *of individual medical facilities for nursing home care pro-*  
9 *vided to pensioners as authorized.*

10 *READJUSTMENT BENEFITS*

11 *For the payment of readjustment and rehabilitation*  
12 *benefits to or on behalf of veterans as authorized by law*  
13 *(38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55,*  
14 *and 61), \$2,264,808,000, to remain available until ex-*  
15 *pended: Provided, That expenses for rehabilitation program*  
16 *services and assistance which the Secretary is authorized*  
17 *to provide under section 3104(a) of title 38, United States*  
18 *Code, other than under subsection (a)(1), (2), (5), and (11)*  
19 *of that section, shall be charged to this account.*

20 *VETERANS INSURANCE AND INDEMNITIES*

21 *For military and naval insurance, national service life*  
22 *insurance, servicemen's indemnities, service-disabled vet-*  
23 *erans insurance, and veterans mortgage life insurance as*  
24 *authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat.*  
25 *487, \$27,530,000, to remain available until expended.*

1 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM  
2 ACCOUNT  
3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of direct and guaranteed loans, such sums  
5 as may be necessary to carry out the program, as authorized  
6 by 38 U.S.C. chapter 37, as amended: Provided, That such  
7 costs, including the cost of modifying such loans, shall be  
8 as defined in section 502 of the Congressional Budget Act  
9 of 1974, as amended: Provided further, That during fiscal  
10 year 2003, within the resources available, not to exceed  
11 \$300,000 in gross obligations for direct loans are authorized  
12 for specially adapted housing loans.

13 In addition, for administrative expenses to carry out  
14 the direct and guaranteed loan programs, \$168,207,000,  
15 which may be transferred to and merged with the appro-  
16 priation for "General operating expenses".

17 EDUCATION LOAN FUND PROGRAM ACCOUNT  
18 (INCLUDING TRANSFER OF FUNDS)

19 For the cost of direct loans, \$1,000, as authorized by  
20 38 U.S.C. 3698, as amended: Provided, That such costs, in-  
21 cluding the cost of modifying such loans, shall be as defined  
22 in section 502 of the Congressional Budget Act of 1974, as  
23 amended: Provided further, That these funds are available  
24 to subsidize gross obligations for the principal amount of  
25 direct loans not to exceed \$3,400.





1           *GUARANTEED TRANSITIONAL HOUSING LOANS FOR*  
2                           *HOMELESS VETERANS PROGRAM ACCOUNT*

3           *For the administrative expenses to carry out the guar-*  
4 *anteed transitional housing loan program authorized by 38*  
5 *U.S.C. chapter 37, subchapter VI, not to exceed \$750,000*  
6 *of the amounts appropriated by this Act for “General oper-*  
7 *ating expenses” and “Medical care” may be expended.*

8                           *VETERANS HEALTH ADMINISTRATION*

9   *MEDICAL CARE*

10   *(INCLUDING TRANSFER OF FUNDS)*

11           *For necessary expenses for the maintenance and oper-*  
12 *ation of hospitals, nursing homes, and domiciliary facili-*  
13 *ties; for furnishing, as authorized by law, inpatient and*  
14 *outpatient care and treatment to beneficiaries of the De-*  
15 *partment of Veterans Affairs, including care and treatment*  
16 *in facilities not under the jurisdiction of the department;*  
17 *and furnishing recreational facilities, supplies, and equip-*  
18 *ment; funeral, burial, and other expenses incidental thereto*  
19 *for beneficiaries receiving care in the department; adminis-*  
20 *trative expenses in support of planning, design, project*  
21 *management, real property acquisition and disposition,*  
22 *construction and renovation of any facility under the juris-*  
23 *isdiction or for the use of the department; oversight, engineer-*  
24 *ing and architectural activities not charged to project cost;*  
25 *repairing, altering, improving or providing facilities in the*  
26 *several hospitals and homes under the jurisdiction of the*

1 department, not otherwise provided for, either by contract  
2 or by the hire of temporary employees and purchase of ma-  
3 terials; uniforms or allowances therefor, as authorized by  
4 5 U.S.C. 5901–5902; aid to State homes as authorized by  
5 38 U.S.C. 1741; administrative and legal expenses of the  
6 department for collecting and recovering amounts owed the  
7 department as authorized under 38 U.S.C. chapter 17, and  
8 the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et  
9 seq., \$23,889,304,000, plus reimbursements: Provided, That,  
10 notwithstanding any other provision of law, the Secretary  
11 of Veterans Affairs may establish a priority for treatment  
12 for veterans who are service-connected disabled, lower in-  
13 come, or have special needs: Provided further, That of the  
14 funds made available under this heading, \$500,000,000 is  
15 for the equipment and land and structures object classifica-  
16 tions only, which amount shall not become available for ob-  
17 ligation until August 1, 2003, and shall remain available  
18 until September 30, 2004: Provided further, That of the  
19 funds made available under this heading, not to exceed  
20 \$900,000,000 shall be available until September 30, 2004:  
21 Provided further, That of the funds made available under  
22 this heading for non-recurring maintenance and repair  
23 (NRM) activities, \$15,000,000 shall be available without  
24 fiscal year limitation to support the NRM activities nec-  
25 essary to implement Capital Asset Realignment for En-

1 *hanced Services (CARES) activities: Provided further, That*  
2 *from amounts appropriated under this heading, additional*  
3 *amounts, as designated by the Secretary no later than Sep-*  
4 *tember 30, 2002, may be used for CARES activities without*  
5 *fiscal year limitation: Provided further, That the Secretary*  
6 *of Veterans Affairs shall conduct by contract a program of*  
7 *recovery audits for the fee basis and other medical services*  
8 *contracts with respect to payments for hospital care; and,*  
9 *notwithstanding 31 U.S.C. 3302(b), amounts collected, by*  
10 *setoff or otherwise, as the result of such audits shall be avail-*  
11 *able, without fiscal year limitation, for the purposes for*  
12 *which funds are appropriated under this heading and the*  
13 *purposes of paying a contractor a percent of the amount*  
14 *collected as a result of an audit carried out by the con-*  
15 *tractor: Provided further, That all amounts so collected*  
16 *under the preceding proviso with respect to a designated*  
17 *health care region (as that term is defined in 38 U.S.C.*  
18 *1729A(d)(2)) shall be allocated, net of payments to the con-*  
19 *tractor, to that region.*

20 *MEDICAL CARE COLLECTIONS FUND*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *Amounts deposited during the current fiscal year in*  
23 *the Department of Veterans Affairs Medical Care Collec-*  
24 *tions Fund under section 1729A of title 38, United States*  
25 *Code, may be transferred to “Medical care”, to remain*  
26 *available until expended.*

1                    *MEDICAL AND PROSTHETIC RESEARCH*

2            *For necessary expenses in carrying out programs of*  
3 *medical and prosthetic research and development as author-*  
4 *ized by 38 U.S.C. chapter 73, to remain available until*  
5 *September 30, 2004, \$400,000,000, plus reimbursements.*

6                    *MEDICAL ADMINISTRATION AND MISCELLANEOUS*7                                    *OPERATING EXPENSES*

8            *For necessary expenses in the administration of the*  
9 *medical, hospital, nursing home, domiciliary, construction,*  
10 *supply, and research activities, as authorized by law; ad-*  
11 *ministrative expenses in support of capital policy activities,*  
12 *\$69,716,000, of which \$3,861,000 shall be available until*  
13 *September 30, 2004, plus reimbursements: Provided, That*  
14 *technical and consulting services offered by the Facilities*  
15 *Management Field Support Service, including project man-*  
16 *agement and real property administration (including*  
17 *leases, site acquisition and disposal activities directly sup-*  
18 *porting projects), shall be provided to Department of Vet-*  
19 *erans Affairs components only on a reimbursable basis, and*  
20 *such amounts will remain available until September 30,*  
21 *2003.*

22                                    *DEPARTMENTAL ADMINISTRATION*23                                    *GENERAL OPERATING EXPENSES*

24            *For necessary operating expenses of the Department of*  
25 *Veterans Affairs, not otherwise provided for, including ad-*  
26 *ministrative expenses in support of Department-wide cap-*

1 *ital planning, management and policy activities, uniforms*  
2 *or allowances therefor; not to exceed \$25,000 for official re-*  
3 *ception and representation expenses; hire of passenger*  
4 *motor vehicles; and reimbursement of the General Services*  
5 *Administration for security guard services, and the Depart-*  
6 *ment of Defense for the cost of overseas employee mail,*  
7 *\$1,256,418,000: Provided, That expenses for services and as-*  
8 *sistance authorized under 38 U.S.C. 3104(a)(1), (2), (5),*  
9 *and (11) that the Secretary determines are necessary to en-*  
10 *able entitled veterans: (1) to the maximum extent feasible,*  
11 *to become employable and to obtain and maintain suitable*  
12 *employment; or (2) to achieve maximum independence in*  
13 *daily living, shall be charged to this account: Provided fur-*  
14 *ther, That of the funds made available under this heading,*  
15 *not to exceed \$65,800,000 shall be available for obligation*  
16 *until September 30, 2004: Provided further, That from the*  
17 *funds made available under this heading, the Veterans Ben-*  
18 *efits Administration may purchase up to two passenger*  
19 *motor vehicles for use in operations of that Administration*  
20 *in Manila, Philippines: Provided further, That travel ex-*  
21 *penses for this account shall not exceed \$17,082,000.*

22 *NATIONAL CEMETERY ADMINISTRATION*

23 *For necessary expenses of the National Cemetery Ad-*  
24 *ministration for operations and maintenance, not otherwise*  
25 *provided for, including uniforms or allowances therefor;*  
26 *cemeterial expenses as authorized by law; purchase of one*

1 *passenger motor vehicle for use in cemeterial operations;*  
2 *and hire of passenger motor vehicles, \$133,149,000, of which*  
3 *\$6,912,000 shall be available until September 30, 2004.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For necessary expenses of the Office of Inspector Gen-*  
6 *eral in carrying out the provisions of the Inspector General*  
7 *Act of 1978, as amended, \$55,000,000, to remain available*  
8 *until September 30, 2004.*

9 *CONSTRUCTION, MAJOR PROJECTS*

10 *For constructing, altering, extending and improving*  
11 *any of the facilities under the jurisdiction or for the use*  
12 *of the Department of Veterans Affairs, or for any of the*  
13 *purposes set forth in sections 316, 2404, 2406, 8102, 8103,*  
14 *8106, 8108, 8109, 8110, and 8122 of title 38, United States*  
15 *Code, including planning, architectural and engineering*  
16 *services, maintenance or guarantee period services costs as-*  
17 *sociated with equipment guarantees provided under the*  
18 *project, services of claims analysts, offsite utility and storm*  
19 *drainage system construction costs, and site acquisition,*  
20 *where the estimated cost of a project is \$4,000,000 or more*  
21 *or where funds for a project were made available in a pre-*  
22 *vious major project appropriation, \$144,790,000, to remain*  
23 *available until expended, of which \$5,000,000 shall be for*  
24 *Capital Asset Realignment for Enhanced Services (CARES)*  
25 *activities; and of which \$10,000,000 shall be to make reim-*  
26 *bursements as provided in 41 U.S.C. 612 for claims paid*

1 *for contract disputes: Provided, That except for advance*  
2 *planning activities, including needs assessments which may*  
3 *or may not lead to capital investments, and other capital*  
4 *asset management related activities, such as portfolio devel-*  
5 *opment and management activities, and investment strat-*  
6 *egy studies funded through the advance planning fund and*  
7 *the planning and design activities funded through the de-*  
8 *sign fund and CARES funds, including needs assessments*  
9 *which may or may not lead to capital investments, none*  
10 *of the funds appropriated under this heading shall be used*  
11 *for any project which has not been approved by the Congress*  
12 *in the budgetary process: Provided further, That funds pro-*  
13 *vided in this appropriation for fiscal year 2003, for each*  
14 *approved project (except those for CARES activities ref-*  
15 *erenced above) shall be obligated: (1) by the awarding of*  
16 *a construction documents contract by September 30, 2003;*  
17 *and (2) by the awarding of a construction contract by Sep-*  
18 *tember 30, 2004: Provided further, That the Secretary of*  
19 *Veterans Affairs shall promptly report in writing to the*  
20 *Committees on Appropriations any approved major con-*  
21 *struction project in which obligations are not incurred*  
22 *within the time limitations established above: Provided fur-*  
23 *ther, That no funds from any other account except the*  
24 *“Parking revolving fund”, may be obligated for con-*  
25 *structing, altering, extending, or improving a project which*

1 *was approved in the budget process and funded in this ac-*  
2 *count until one year after substantial completion and bene-*  
3 *ficial occupancy by the Department of Veterans Affairs of*  
4 *the project or any part thereof with respect to that part*  
5 *only.*

6 *CONSTRUCTION, MINOR PROJECTS*

7 *For constructing, altering, extending, and improving*  
8 *any of the facilities under the jurisdiction or for the use*  
9 *of the Department of Veterans Affairs, including planning*  
10 *and assessments of needs which may lead to capital invest-*  
11 *ments, architectural and engineering services, maintenance*  
12 *or guarantee period services costs associated with equipment*  
13 *guarantees provided under the project, services of claims an-*  
14 *alysts, offsite utility and storm drainage system construc-*  
15 *tion costs, and site acquisition, or for any of the purposes*  
16 *set forth in sections 316, 2404, 2406, 8102, 8103, 8106,*  
17 *8108, 8109, 8110, 8122, and 8162 of title 38, United States*  
18 *Code, where the estimated cost of a project is less than*  
19 *\$4,000,000, \$210,700,000, to remain available until ex-*  
20 *pended, along with unobligated balances of previous “Con-*  
21 *struction, minor projects” appropriations which are hereby*  
22 *made available for any project where the estimated cost is*  
23 *less than \$4,000,000, of which \$35,000,000 shall be for Cap-*  
24 *ital Asset Realignment for Enhanced Services (CARES) ac-*  
25 *tivities: Provided, That from amounts appropriated under*  
26 *this heading, additional amounts may be used for CARES*



1 *activities upon notification of and approval by the Commit-*  
 2 *tees on Appropriations: Provided further, That funds in this*  
 3 *account shall be available for: (1) repairs to any of the non-*  
 4 *medical facilities under the jurisdiction or for the use of*  
 5 *the department which are necessary because of loss or dam-*  
 6 *age caused by any natural disaster or catastrophe; and (2)*  
 7 *temporary measures necessary to prevent or to minimize*  
 8 *further loss by such causes.*

9 *PARKING REVOLVING FUND*

10 *For the parking revolving fund as authorized by 38*  
 11 *U.S.C. 8109, income from fees collected, to remain available*  
 12 *until expended, which shall be available for all authorized*  
 13 *expenses except operations and maintenance costs, which*  
 14 *will be funded from “Medical care”.*

15 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*

16 *FACILITIES*

17 *For grants to assist States to acquire or construct*  
 18 *State nursing home and domiciliary facilities and to re-*  
 19 *model, modify or alter existing hospital, nursing home and*  
 20 *domiciliary facilities in State homes, for furnishing care*  
 21 *to veterans as authorized by 38 U.S.C. 8131–8137,*  
 22 *\$100,000,000, to remain available until expended.*

23 *GRANTS FOR THE CONSTRUCTION OF STATE VETERANS*

24 *CEMETERIES*

25 *For grants to aid States in establishing, expanding,*  
 26 *or improving State veterans cemeteries as authorized by 38*

1 *U.S.C. 2408, \$32,000,000, to remain available until ex-*  
2 *pended.*

3 *ADMINISTRATIVE PROVISIONS*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *SEC. 101. Any appropriation for fiscal year 2003 for*  
6 *“Compensation and pensions”, “Readjustment benefits”,*  
7 *and “Veterans insurance and indemnities” may be trans-*  
8 *ferred to any other of the mentioned appropriations.*

9 *SEC. 102. Appropriations available to the Department*  
10 *of Veterans Affairs for fiscal year 2003 for salaries and ex-*  
11 *penses shall be available for services authorized by 5 U.S.C.*  
12 *3109.*

13 *SEC. 103. No appropriations in this Act for the De-*  
14 *partment of Veterans Affairs (except the appropriations for*  
15 *“Construction, major projects”, “Construction, minor*  
16 *projects”, and the “Parking revolving fund”) shall be avail-*  
17 *able for the purchase of any site for or toward the construc-*  
18 *tion of any new hospital or home.*

19 *SEC. 104. No appropriations in this Act for the De-*  
20 *partment of Veterans Affairs shall be available for hos-*  
21 *pitalization or examination of any persons (except bene-*  
22 *ficiaries entitled under the laws bestowing such benefits to*  
23 *veterans, and persons receiving such treatment under 5*  
24 *U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reim-*  
25 *bursement of cost is made to the “Medical care” account*

1 *at such rates as may be fixed by the Secretary of Veterans*  
2 *Affairs.*

3       *SEC. 105. Appropriations available to the Department*  
4 *of Veterans Affairs for fiscal year 2003 for “Compensation*  
5 *and pensions”, “Readjustment benefits”, and “Veterans in-*  
6 *surance and indemnities” shall be available for payment*  
7 *of prior year accrued obligations required to be recorded*  
8 *by law against the corresponding prior year accounts with-*  
9 *in the last quarter of fiscal year 2002.*

10       *SEC. 106. Appropriations accounts available to the De-*  
11 *partment of Veterans Affairs for fiscal year 2003 shall be*  
12 *available to pay prior year obligations of corresponding*  
13 *prior year appropriations accounts resulting from title X*  
14 *of the Competitive Equality Banking Act, Public Law 100-*  
15 *86, except that if such obligations are from trust fund ac-*  
16 *counts they shall be payable from “Compensation and pen-*  
17 *sions”.*

18       *SEC. 107. Notwithstanding any other provision of law,*  
19 *during fiscal year 2003, the Secretary of Veterans Affairs*  
20 *shall, from the National Service Life Insurance Fund (38*  
21 *U.S.C. 1920), the Veterans’ Special Life Insurance Fund*  
22 *(38 U.S.C. 1923), and the United States Government Life*  
23 *Insurance Fund (38 U.S.C. 1955), reimburse the “General*  
24 *operating expenses” account for the cost of administration*  
25 *of the insurance programs financed through those accounts:*

1 *Provided, That reimbursement shall be made only from the*  
2 *surplus earnings accumulated in an insurance program in*  
3 *fiscal year 2003 that are available for dividends in that*  
4 *program after claims have been paid and actuarially deter-*  
5 *mined reserves have been set aside: Provided further, That*  
6 *if the cost of administration of an insurance program ex-*  
7 *ceeds the amount of surplus earnings accumulated in that*  
8 *program, reimbursement shall be made only to the extent*  
9 *of such surplus earnings: Provided further, That the Sec-*  
10 *retary shall determine the cost of administration for fiscal*  
11 *year 2003 which is properly allocable to the provision of*  
12 *each insurance program and to the provision of any total*  
13 *disability income insurance included in such insurance*  
14 *program.*

15 *SEC. 108. Notwithstanding any other provision of law,*  
16 *the Department of Veterans Affairs shall continue the Fran-*  
17 *chise Fund pilot program authorized to be established by*  
18 *section 403 of Public Law 103-356 until October 1, 2003:*  
19 *Provided, That the Franchise Fund, established by title I*  
20 *of Public Law 104-204 to finance the operations of the*  
21 *Franchise Fund pilot program, shall continue until October*  
22 *1, 2003.*

23 *SEC. 109. Amounts deducted from enhanced-use lease*  
24 *proceeds to reimburse an account for expenses incurred by*  
25 *that account during a prior fiscal year for providing en-*

1 hanced-use lease services, may be obligated during the fiscal  
2 year in which the proceeds are received.

3       *SEC. 110. Funds available in any Department of Vet-*  
4 *erans Affairs appropriation for fiscal year 2003 or funds*  
5 *for salaries and other administrative expenses shall also be*  
6 *available to reimburse the Office of Resolution Management*  
7 *and the Office of Employment Discrimination Complaint*  
8 *Adjudication for all services provided at rates which will*  
9 *recover actual costs but not exceed \$29,318,000 for the Office*  
10 *of Resolution Management and \$3,010,000 for the Office of*  
11 *Employment and Discrimination Complaint Adjudication:*  
12 *Provided, That payments may be made in advance for serv-*  
13 *ices to be furnished based on estimated costs: Provided fur-*  
14 *ther, That amounts received shall be credited to "General*  
15 *operating expenses" for use by the office that provided the*  
16 *service.*

17       *SEC. 111. (a)(1) Section 1729B of title 38, United*  
18 *States Code, is repealed. Any balance as of the date of the*  
19 *enactment of this Act in the Department of Veterans Affairs*  
20 *Health Services Improvement Fund established under such*  
21 *section shall be transferred to the Department of Veterans*  
22 *Affairs Medical Care Collections Fund established under*  
23 *section 1729A of title 38, United States Code.*

1       (2) *The table of sections at the beginning of chapter*  
2 *17 of such title is amended by striking the item relating*  
3 *to section 1729B.*

4       (b) *Section 1729A(b) of such title is amended—*

5           (1) *by redesignating paragraph (8) as para-*  
6 *graph (10); and*

7           (2) *by inserting after paragraph (7) the fol-*  
8 *lowing new paragraphs:*

9           “(7) *Section 8165(a) of this title.*

10          “(8) *Section 113 of the Veterans Millennium*  
11 *Health Care and Benefits Act (Public Law 106–117;*  
12 *38 U.S.C. 8111 note).”.*

13       (c) *Section 1722A of such title is amended—*

14           (1) *in subsection (c)—*

15               (A) *in the first sentence, by striking “under*  
16 *subsection (a)” and inserting “under this sec-*  
17 *tion”;* and

18               (B) *by striking the second sentence; and*

19           (2) *by striking subsection (d).*

20       (d)(1) *Section 8165 of such title is amended by strik-*  
21 *ing “Department of Veterans Affairs Health Services Im-*  
22 *provement Fund established under section 1729B of this*  
23 *title” and inserting “Department of Veterans Affairs Med-*  
24 *ical Care Collections Fund established under section 1729A*  
25 *of this title”.*

1       (2) *Section 113(b) of the Veterans Millennium Health*  
 2 *Care and Benefits Act (Public Law 106–117; 38 U.S.C.*  
 3 *8111 note) is amended by striking “Department of Veterans*  
 4 *Affairs Health Services Improvement Fund established*  
 5 *under section 1729B of title 38 United States Code, as*  
 6 *added by section 202” and inserting “Department of Vet-*  
 7 *erans Affairs Medical Care Collections Fund established*  
 8 *under section 1729A of title 38, United States Code”.*

9           *TITLE II—DEPARTMENT OF HOUSING AND*

10                           *URBAN DEVELOPMENT*

11                           *PUBLIC AND INDIAN HOUSING*

12                           *HOUSING CERTIFICATE FUND*

13           *(INCLUDING TRANSFER AND RESCISSION OF FUNDS)*

14       *For assistance under the United States Housing Act*  
 15 *of 1937, as amended (“the Act” herein) (42 U.S.C. 1437*  
 16 *et seq.), not otherwise provided for, including for activities*  
 17 *and assistance to prevent the involuntary displacement of*  
 18 *low-income families, the elderly and the disabled because*  
 19 *of the loss of affordable housing stock, expiration of subsidy*  
 20 *contracts (other than contracts for which amounts are pro-*  
 21 *vided under another heading in this Act) or expiration of*  
 22 *use restrictions, or other changes in housing assistance ar-*  
 23 *rangements, and for other purposes, \$16,928,697,228 and*  
 24 *amounts recaptured in this account, and except as other-*  
 25 *wise provided, to remain available until expended: Pro-*  
 26 *vided, That of the amount provided under this heading,*

1 \$4,200,000,000 shall be available on October 1, 2003: Pro-  
2 vided further, That the foregoing amounts shall be for use  
3 in connection with expiring or terminating section 8 sub-  
4 sidy contracts, for amendments to section 8 subsidy con-  
5 tracts, for enhanced vouchers (including amendments and  
6 renewals) under any provision of law authorizing such as-  
7 sistance under section 8(t) of the Act (42 U.S.C. 1437f(t)),  
8 contract administrators, and contracts entered into pursu-  
9 ant to section 441 of the McKinney-Vento Homeless Assist-  
10 ance Act: Provided further, That the Secretary is authorized  
11 and directed to enter into contracts for 2,077,336 vouchers  
12 under Sections 8(o) and 8(t) of the Act (42 U.S.C. 1437f(o)  
13 and (t)), including moderate rehabilitation units under  
14 Section 8(e) of the Act (42 U.S.C. 1437f(e)) that are re-  
15 newed as vouchers, that currently are funded under con-  
16 tracts that are expiring or terminating: Provided further,  
17 That of the amount provided under this heading,  
18 \$11,676,040,908 shall be for use only for renewal of con-  
19 tracts for vouchers expected to be used in the period covered  
20 by the annual contracts and for administrative fees earned  
21 for such vouchers: Provided further, That of the amount pro-  
22 vided under this heading, \$400,170,000 shall be in a central  
23 fund to be allocated by the Secretary for amendments to  
24 contracts for periods not exceeding 12 months in duration  
25 for expenditures for up to 2,077,336 vouchers under Sec-



1 tions 8(o) and 8(t) of the Act (42 U.S.C. 1437f(o) and (t)),  
2 including authorized vouchers that the Secretary reallocates  
3 from agencies that have chronically failed to use them to  
4 other agencies; and in addition to amounts provided above,  
5 such sums as shall be necessary within only this fiscal year,  
6 if any, to fulfill the purposes of the preceding proviso: Pro-  
7 vided further, That the Secretary shall make all needed  
8 funds available under the preceding proviso to an agency  
9 within 14 days of the agency demonstrating an ability to  
10 enter into additional housing assistance payment contracts  
11 within an agency's authorized voucher level: Provided fur-  
12 ther, That amounts provided under this heading shall be  
13 available for section 8 rental assistance under the Act: (1)  
14 for the relocation and replacement of housing units that are  
15 demolished or disposed of pursuant to the Omnibus Consoli-  
16 dated Rescissions and Appropriations Act of 1996 (Public  
17 Law 104-134; Stat. 1321-269); (2) for the conversion of  
18 section 23 projects to assistance under section 8; (3) for  
19 funds to carry out the family unification program; (4) for  
20 the relocation of witnesses in connection with efforts to com-  
21 bat crime in public and assisted housing pursuant to a re-  
22 quest from a law enforcement or prosecution agency; (5)  
23 for tenant protection assistance, including replacement and  
24 relocation assistance; and (6) for the 1-year renewal of sec-  
25 tion 8 contracts for units in projects that are subject to ap-

1 *proved plans of action under the Emergency Low Income*  
2 *Housing Preservation Act of 1987 or the Low-Income Hous-*  
3 *ing Preservation and Resident Homeownership Act of 1990:*  
4 *Provided further, That of the amount provided under this*  
5 *heading, no less than \$3,000,000 shall be transferred to the*  
6 *Working Capital Fund for the development of and modifica-*  
7 *tions to information technology systems which serve activi-*  
8 *ties under “Public and Indian Housing”: Provided further,*  
9 *That the amounts made available for incremental vouchers*  
10 *under this heading for any fiscal year (to the extent prac-*  
11 *ticable) for non-elderly disabled families shall be provided*  
12 *to non-elderly disabled families upon turnover or renewal:*  
13 *Provided further, That the amounts made available for in-*  
14 *cremental vouchers under this heading for any fiscal year*  
15 *(to the extent practicable) for welfare-to-work families shall*  
16 *continue to be made available for welfare-to-work families*  
17 *upon turnover or renewal: Provided further, That up to*  
18 *\$196,000,000 from amounts made available under this*  
19 *heading may be made available for contract administrators:*  
20 *Provided further, That amounts available under this head-*  
21 *ing may be made available for administrative fees and other*  
22 *expenses to cover the cost of administering rental assistance*  
23 *programs under section 8 of the Act: Provided further, That*  
24 *within 60 days of enactment, the Secretary shall reduce the*  
25 *annual contributions contracts with public housing agen-*

1 *cies that received a warning pursuant to the notice pub-*  
2 *lished on April 19, 2000 (65 FR 21088) of failure to use*  
3 *at least 90 percent of the vouchers allocated to the agency*  
4 *and to spend at least 90 percent of the budget authority*  
5 *allocated to the agency, and that by the date of enactment*  
6 *or within 16 months of initial receipt of such warning (re-*  
7 *gardless of any subsequent warning notice from the Sec-*  
8 *retary), whichever is later, failed in the most recent com-*  
9 *pleted month to utilize at least 95 percent of allocated*  
10 *vouchers or contracted budget authority with respect to*  
11 *vouchers that were under annual contributions contract in*  
12 *the agency's prior fiscal year, and within 150 days of enact-*  
13 *ment the Secretary shall reallocate the number of vouchers*  
14 *from such chronically underutilizing agencies necessary to*  
15 *bring their current rate of voucher utilization to 95 percent*  
16 *and enter into annual contributions contracts with other*  
17 *public housing agencies for the budget authority to support*  
18 *the reallocated vouchers pursuant to the notice published on*  
19 *November 1, 2001 (66 FR 55524), provided that the Sec-*  
20 *retary shall give first priority, after agencies that need ad-*  
21 *ditional vouchers to address urgent needs arising from fed-*  
22 *erally-declared disasters, to high-performing agencies that*  
23 *can serve applicants on the waiting list of the public hous-*  
24 *ing agency from which vouchers are reallocated and to*  
25 *agencies that have nonelderly disabled families affected by*

1 *the designation of a public housing development under sec-*  
2 *tion 7 of the Act, the establishment of preferences in accord-*  
3 *ance with section 651 of the Housing and Community De-*  
4 *velopment Act of 1992 (42 U.S.C. 13611), or the restriction*  
5 *of occupancy to elderly families in accordance with section*  
6 *658 of such Act (42 U.S.C. 13618): Provided further, That*  
7 *the fee otherwise authorized under section 8(q) of the Act*  
8 *shall be determined in accordance with section 8(q), as in*  
9 *effect immediately before the enactment of the Quality*  
10 *Housing and Work Responsibility Act of 1998: Provided*  
11 *further, That \$1,400,000,000 is rescinded from unobligated*  
12 *balances remaining from funds appropriated to the Depart-*  
13 *ment of Housing and Urban Development under this head-*  
14 *ing or the heading “Annual contributions for assisted hous-*  
15 *ing” or any other heading for fiscal year 2002 and prior*  
16 *years, to be effected by the Secretary no later than Sep-*  
17 *tember 30, 2003: Provided further, That any such balances*  
18 *governed by reallocation provisions under the statute au-*  
19 *thorizing the program for which the funds were originally*  
20 *appropriated may be available for this rescission, except*  
21 *that this proviso does not apply to reallocation of vouchers*  
22 *required under this Act: Provided further, That the Sec-*  
23 *retary shall have until September 30, 2003, to meet the re-*  
24 *scission in the proviso preceding the immediately preceding*  
25 *proviso: Provided further, That any obligated balances of*

1 *contract authority that have been terminated shall be can-*  
2 *celed.*

3 *PUBLIC HOUSING CAPITAL FUND*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For the Public Housing Capital Fund Program to*  
6 *carry out capital and management activities for public*  
7 *housing agencies, as authorized under section 9 of the*  
8 *United States Housing Act of 1937, as amended (42 U.S.C.*  
9 *1437g), \$2,683,400,000, to remain available until Sep-*  
10 *tember 30, 2006: Provided, That, hereafter, notwithstanding*  
11 *any other provision of law or any failure of the Secretary*  
12 *of Housing and Urban Development to issue regulations to*  
13 *carry out section 9(j) of the United States Housing Act of*  
14 *1937 (42 U.S.C. 1437g(j)), such section is deemed to have*  
15 *taken effect on October 1, 1998, and, except as otherwise*  
16 *provided in this heading, shall apply to all assistance made*  
17 *available under this same heading on or after such date:*  
18 *Provided further, That notwithstanding any other provision*  
19 *of law or regulation, during fiscal year 2003, the Secretary*  
20 *may not delegate to any Department official other than the*  
21 *Deputy Secretary any authority under paragraph (2) of*  
22 *such section 9(j) regarding the extension of the time periods*  
23 *under such section for obligation of amounts made available*  
24 *for fiscal year 1998, 1999, 2000, 2001, 2002, or 2003: Pro-*  
25 *vided further, That notwithstanding the first proviso and*  
26 *paragraphs (3) and (5)(B) of such section 9(j), if at any*

1 *time before the effectiveness of final regulations issued by*  
2 *the Secretary under section 6(j) of the United States Hous-*  
3 *ing Act of 1937 (42 U.S.C. 1437d(j)) providing for assess-*  
4 *ment of public housing agencies and designation of high-*  
5 *performing agencies, any amounts made available under*  
6 *the public housing Capital Fund for fiscal year 1999, 2000,*  
7 *2001, 2002, or 2003 remain unobligated in violation of*  
8 *paragraph (1) of such section 9(j) or unexpended in viola-*  
9 *tion of paragraph (5)(A) of such section 9(j), the Secretary*  
10 *shall recapture any such amounts and reallocate such*  
11 *amounts among public housing agencies that, at the time*  
12 *of such reallocation, are not in violation of any requirement*  
13 *under paragraph (1) or (5)(A) of such section: Provided fur-*  
14 *ther, That for purposes of this heading, the term “obligate”*  
15 *means, with respect to amounts, that the amounts are sub-*  
16 *ject to a binding agreement that will result in outlays im-*  
17 *mediately or in the future: Provided further, That of the*  
18 *total amount provided under this heading, up to*  
19 *\$54,000,000 shall be for carrying out activities under sec-*  
20 *tion 9(h) of such Act, of which up to \$13,000,000 shall be*  
21 *for the provision of remediation services to public housing*  
22 *agencies identified as “troubled” under the Section 8 Man-*  
23 *agement Assessment Program and for surveys used to cal-*  
24 *culate local Fair Market Rents and assess housing condi-*  
25 *tions in connection with rental assistance under section 8*

1 *of the Act: Provided further, That of the total amount pro-*  
2 *vided under this heading, up to \$500,000 shall be for lease*  
3 *adjustments to section 23 projects, and no less than*  
4 *\$18,600,000 shall be transferred to the Working Capital*  
5 *Fund for the development and maintenance of information*  
6 *technology systems: Provided further, That no funds may*  
7 *be used under this heading for the purposes specified in sec-*  
8 *tion 9(k) of the United States Housing Act of 1937, as*  
9 *amended: Provided further, That of the total amount pro-*  
10 *vided under this heading, up to \$75,000,000 shall be avail-*  
11 *able for the Secretary of Housing and Urban Development*  
12 *to make grants to public housing agencies for emergency*  
13 *capital needs resulting from emergencies and natural disas-*  
14 *ters in fiscal year 2003: Provided further, That of the total*  
15 *amount provided under this heading, \$15,000,000 shall be*  
16 *for a Neighborhood Networks initiative for activities author-*  
17 *ized in section 9(d)(1)(E) of the United States Housing Act*  
18 *of 1937, as amended: Provided further, That notwith-*  
19 *standing any other provision of law, amounts made avail-*  
20 *able in the previous proviso shall be awarded to public hous-*  
21 *ing agencies on a competitive basis as provided in section*  
22 *102 of the Department of Housing and Urban Development*  
23 *Reform Act of 1989: Provided further, That of the total*  
24 *amount provided under this heading, up to \$100,000,000*  
25 *shall be made available to public housing agencies for use*

1 *in the substantial rehabilitation of distressed units, the de-*  
2 *velopment of off-site public housing units in mixed-income*  
3 *housing developments, or for loan loss reserves to support*  
4 *such activities.*

5 *Of the amount made available under this heading, the*  
6 *Secretary of Housing and Urban Development may use up*  
7 *to \$55,000,000 for supportive services for public housing*  
8 *residents, as authorized by section 34 of the United States*  
9 *Housing Act of 1937, as amended, and for residents of hous-*  
10 *ing assisted under the Native American Housing Assistance*  
11 *and Self-Determination Act of 1996 (NAHASDA) and for*  
12 *grants for service coordinators and congregate services for*  
13 *the elderly and disabled residents of public and assisted*  
14 *housing and housing assisted under NAHASDA.*

15 *PUBLIC HOUSING OPERATING FUND*

16 *For payments to public housing agencies for the oper-*  
17 *ation and management of public housing, as authorized by*  
18 *section 9(e) of the United States Housing Act of 1937, as*  
19 *amended (42 U.S.C. 1437g(e)), \$3,530,000,000, to remain*  
20 *available until September 30, 2004: Provided, That of the*  
21 *total amount provided under this heading, \$10,000,000*  
22 *shall be for programs, as determined appropriate by the At-*  
23 *torney General, which assist in the investigation, prosecu-*  
24 *tion, and prevention of violent crimes and drug offenses in*  
25 *public and federally-assisted low-income housing, including*  
26 *Indian housing, which shall be administered by the Depart-*



1 *ment of Justice through a reimbursable agreement with the*  
2 *Department of Housing and Urban Development: Provided*  
3 *further, That up to \$250,000,000 shall be made available*  
4 *for payments to public housing agencies that are eligible*  
5 *for additional funds in fiscal year 2002 for the operation*  
6 *and management of public housing: Provided further, That*  
7 *no funds may be made available under this heading in fis-*  
8 *cal year 2004 and subsequent fiscal years for payments to*  
9 *public housing agencies for the operation and management*  
10 *of public housing in fiscal year 2003: Provided further,*  
11 *That no funds may be used under this heading for the pur-*  
12 *poses specified in section 9(k) of the United States Housing*  
13 *Act of 1937, as amended.*

14 *REVITALIZATION OF SEVERELY DISTRESSED PUBLIC*  
15 *HOUSING (HOPE VI)*

16 *For grants to public housing agencies for demolition,*  
17 *site revitalization, replacement housing, and tenant-based*  
18 *assistance grants to projects as authorized by section 24 of*  
19 *the United States Housing Act of 1937, as amended,*  
20 *\$574,000,000, to remain available until September 30,*  
21 *2004, of which the Secretary may use up to \$6,250,000 for*  
22 *technical assistance and contract expertise, to be provided*  
23 *directly or indirectly by grants, contracts or cooperative*  
24 *agreements, including training and cost of necessary travel*  
25 *for participants in such training, by or to officials and em-*  
26 *ployees of the department and of public housing agencies*

1 *and to residents: Provided, That none of such funds shall*  
2 *be used directly or indirectly by granting competitive ad-*  
3 *vantage in awards to settle litigation or pay judgments, un-*  
4 *less expressly permitted herein: Provided further, That of*  
5 *the total amount provided under this heading, \$5,000,000*  
6 *shall be for a Neighborhood Networks initiative for activities*  
7 *authorized in section 24(d)(1)(G) of the United States*  
8 *Housing Act of 1937, as amended: Provided further, That*  
9 *notwithstanding any other provision of law, amounts made*  
10 *available in the previous proviso shall be awarded to public*  
11 *housing agencies on a competitive basis as provided in sec-*  
12 *tion 102 of the Department of Housing and Urban Develop-*  
13 *ment Reform Act of 1989.*

14 *NATIVE AMERICAN HOUSING BLOCK GRANTS*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For the Native American Housing Block Grants pro-*  
17 *gram, as authorized under title I of the Native American*  
18 *Housing Assistance and Self-Determination Act of 1996*  
19 *(NAHASDA) (25 U.S.C. 4111 et seq.), \$648,570,000, to re-*  
20 *main available until expended, of which \$2,200,000 shall*  
21 *be contracted through the Secretary as technical assistance*  
22 *and capacity building to be used by the National American*  
23 *Indian Housing Council in support of the implementation*  
24 *of NAHASDA; of which \$5,000,000 shall be to support the*  
25 *inspection of Indian housing units, contract expertise,*  
26 *training, and technical assistance in the training, over-*

1 *sight, and management of Indian housing and tenant-based*  
2 *assistance, including up to \$300,000 for related travel; and*  
3 *of which no less than \$600,000 shall be transferred to the*  
4 *Working Capital Fund for development of and modifica-*  
5 *tions to information technology systems which serve pro-*  
6 *grams or activities under “Public and Indian housing”:*  
7 *Provided, That of the amount provided under this heading,*  
8 *\$2,000,000 shall be made available for the cost of guaran-*  
9 *teed notes and other obligations, as authorized by title VI*  
10 *of NAHASDA: Provided further, That such costs, including*  
11 *the costs of modifying such notes and other obligations, shall*  
12 *be as defined in section 502 of the Congressional Budget*  
13 *Act of 1974, as amended: Provided further, That these funds*  
14 *are available to subsidize the total principal amount of any*  
15 *notes and other obligations, any part of which is to be guar-*  
16 *anteed, not to exceed \$16,658,000: Provided further, That*  
17 *the Secretary of Housing and Urban Development may pro-*  
18 *vide technical and financial assistance to Indian tribes and*  
19 *their tribally-designated housing entities in accordance*  
20 *with the provisions of NAHASDA for emergency housing,*  
21 *housing assistance, and other assistance to address the prob-*  
22 *lem of mold: Provided further, That for administrative ex-*  
23 *penses to carry out the guaranteed loan program, up to*  
24 *\$150,000 from amounts in the first proviso, which shall be*  
25 *transferred to and merged with the appropriation for “Sal-*

1 *aries and expenses”, to be used only for the administrative*  
 2 *costs of these guarantees.*

3 *INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the cost of guaranteed loans, as authorized by sec-*  
 7 *tion 184 of the Housing and Community Development Act*  
 8 *of 1992 (12 U.S.C. 1715z–13a), \$5,000,000, to remain*  
 9 *available until expended: Provided, That such costs, includ-*  
 10 *ing the costs of modifying such loans, shall be as defined*  
 11 *in section 502 of the Congressional Budget Act of 1974, as*  
 12 *amended: Provided further, That these funds are available*  
 13 *to subsidize total loan principal, any part of which is to*  
 14 *be guaranteed, not to exceed \$197,243,000.*

15 *In addition, for administrative expenses to carry out*  
 16 *the guaranteed loan program, up to \$200,000 from amounts*  
 17 *in the first paragraph, which shall be transferred to and*  
 18 *merged with the appropriation for “Salaries and expenses”,*  
 19 *to be used only for the administrative costs of these guaran-*  
 20 *tees.*

21 *NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND*

22 *PROGRAM ACCOUNT*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For the cost of guaranteed loans, as authorized by sec-*  
 25 *tion 184A of the Housing and Community Development Act*  
 26 *of 1992 (12 U.S.C. 1715z–13b), \$1,000,000, to remain*

1 *available until expended: Provided, That such costs, includ-*  
2 *ing the costs of modifying such loans, shall be as defined*  
3 *in section 502 of the Congressional Budget Act of 1974, as*  
4 *amended: Provided further, That these funds are available*  
5 *to subsidize total loan principal, any part of which is to*  
6 *be guaranteed, not to exceed \$39,712,000.*

7 *In addition, for administrative expenses to carry out*  
8 *the guaranteed loan program, up to \$35,000 from amounts*  
9 *in the first paragraph, which shall be transferred to and*  
10 *merged with the appropriation for “Salaries and expenses”,*  
11 *to be used only for the administrative costs of these guaran-*  
12 *tees.*

13 *COMMUNITY PLANNING AND DEVELOPMENT*

14 *HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS*

15 *For carrying out the Housing Opportunities for Per-*  
16 *sons with AIDS program, as authorized by the AIDS Hous-*  
17 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*  
18 *\$292,000,000, to remain available until September 30,*  
19 *2004: Provided, That the Secretary shall renew all expiring*  
20 *contracts for permanent supportive housing that were fund-*  
21 *ed under section 854(c)(3) of such Act that meet all pro-*  
22 *gram requirements before awarding funds for new contracts*  
23 *and activities authorized under this section: Provided fur-*  
24 *ther, That the Secretary may use up to \$2,000,000 of the*

1 *funds under this heading for training, oversight, and tech-*  
2 *nical assistance activities.*

3 *RURAL HOUSING AND ECONOMIC DEVELOPMENT*

4 *For the Office of Rural Housing and Economic Devel-*  
5 *opment in the Department of Housing and Urban Develop-*  
6 *ment, \$25,000,000 to remain available until expended,*  
7 *which amount shall be awarded by June 1, 2004, to Indian*  
8 *tribes, State housing finance agencies, State community*  
9 *and/or economic development agencies, local rural non-*  
10 *profits and community development corporations to sup-*  
11 *port innovative housing and economic development activi-*  
12 *ties in rural areas: Provided, That all grants shall be*  
13 *awarded on a competitive basis as specified in section 102*  
14 *of the Department of Housing and Urban Development Re-*  
15 *form Act of 1989.*

16 *EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES*

17 *For grants in connection with a second round of em-*  
18 *powerment zones and enterprise communities, \$30,000,000,*  
19 *to remain available until expended, for “Urban Empower-*  
20 *ment Zones”, as authorized in section 1391(g) of the Inter-*  
21 *nal Revenue Code of 1986 (26 U.S.C. 1391(g)), including*  
22 *\$2,000,000 for each empowerment zone for use in conjunc-*  
23 *tion with economic development activities consistent with*  
24 *the strategic plan of each empowerment zone: Provided,*  
25 *That no funds shall be available under this heading for ex-*  
26 *penditure in fiscal year 2004 and thereafter unless the Con-*

1 *gress enacts tax legislation to fund eligible activities in fis-*  
2 *cal year 2004 and thereafter.*

3 *COMMUNITY DEVELOPMENT FUND*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For assistance to units of State and local government,*  
6 *and to other entities, for economic and community develop-*  
7 *ment activities, and for other purposes, \$5,000,000,000, to*  
8 *remain available until September 30, 2005: Provided, That*  
9 *of the amount provided, \$4,580,200,000 is for carrying out*  
10 *the community development block grant program under*  
11 *title I of the Housing and Community Development Act of*  
12 *1974, as amended (the "Act" herein) (42 U.S.C. 5301 et*  
13 *seq.): Provided further, That \$72,500,000 shall be for grants*  
14 *to Indian tribes notwithstanding section 106(a)(1) of such*  
15 *Act; \$3,300,000 shall be for a grant to the Housing Assist-*  
16 *ance Council; \$2,600,000 shall be for a grant to the Na-*  
17 *tional American Indian Housing Council; \$2,000,000 shall*  
18 *be for a grant to Girl Scouts of the USA for youth develop-*  
19 *ment initiatives in public housing; \$2,000,000 shall be for*  
20 *a grant to Boys and Girls Clubs of America for the oper-*  
21 *ating and start-up costs of clubs located in or near, and*  
22 *primarily serving residents of, public and Indian housing;*  
23 *and \$45,500,000 shall be for grants pursuant to section 107*  
24 *of the Act of which \$4,000,000 shall be to support Alaska*  
25 *Native serving institutions and Native Hawaiian serving*  
26 *institutions as defined under the Higher Education Act, as*

1 amended, \$3,000,000 shall be for tribal colleges and univer-  
2 sities to build, expand, renovate and equip their facilities,  
3 \$7,000,000 shall be for insular areas, \$11,000,000 shall be  
4 for historically black colleges and universities, \$3,000,000  
5 shall be for community development work study,  
6 \$10,000,000 shall be for the Department of Hawaiian  
7 Homeland to provide assistance as authorized under title  
8 VIII of the Native American Housing Assistance and Self-  
9 Determination Act of 1996 (22 U.S.C. 4221 et seq.) (with  
10 no more than 5 percent of such funds being available for  
11 administrative costs), and of which \$7,500,000 shall be for  
12 Hispanic serving institutions: Provided further, That no  
13 less than \$3,400,000 shall be transferred to the Working  
14 Capital Fund for the development of and modification to  
15 information technology systems which serve programs or ac-  
16 tivities under "Community planning and development":  
17 Provided further, That \$5,000,000 shall be made available  
18 for construction costs of the Paul and Sheila Wellstone Cen-  
19 ter for Community Building: Provided further, That  
20 \$22,000,000 shall be for grants pursuant to the Self Help  
21 Homeownership Opportunity Program: Provided further,  
22 That not to exceed 20 percent of any grant made with funds  
23 appropriated under this heading (other than a grant made  
24 available in this paragraph to the Housing Assistance  
25 Council or the National American Indian Housing Council,



1 *or a grant using funds under section 107(b)(3) of the Act)*  
2 *shall be expended for “Planning and Management Develop-*  
3 *ment” and “Administration”, as defined in regulations*  
4 *promulgated by the Department.*

5 *Of the amount made available under this heading,*  
6 *\$35,500,000 shall be for capacity building, of which*  
7 *\$31,500,000 shall be for Capacity Building for Community*  
8 *Development and Affordable Housing for LISC and the En-*  
9 *terprise Foundation for activities as authorized by section*  
10 *4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816*  
11 *note), as in effect immediately before June 12, 1997, with*  
12 *not less than \$5,000,000 of the funding to be used in rural*  
13 *areas, including tribal areas, and of which \$4,000,000 shall*  
14 *be for capacity building activities administered by Habitat*  
15 *for Humanity International.*

16 *Of the amount made available under this heading,*  
17 *\$40,000,000 shall be available for neighborhood initiatives*  
18 *that are utilized to improve the conditions of distressed and*  
19 *blighted areas and neighborhoods, to stimulate investment,*  
20 *economic diversification, and community revitalization in*  
21 *areas with population outmigration or a stagnating or de-*  
22 *clining economic base, or to determine whether housing ben-*  
23 *efits can be integrated more effectively with welfare reform*  
24 *initiatives, of which \$1,000,000 shall be for a grant to Na-*  
25 *tional Housing Trust/Enterprise Preservation Corporation*

1 to preserve 5,000 affordable apartments for low-income peo-  
2 ple and \$5,000,000 shall be for a grant to the Housing Part-  
3 nership Network for a revolving loan fund for single-family  
4 homeownership development and loans to nonprofit afford-  
5 able housing organizations.

6       Of the amount made available under this heading, not-  
7 withstanding any other provision of law, \$65,000,000 shall  
8 be available for YouthBuild program activities authorized  
9 by subtitle D of title IV of the Cranston-Gonzalez National  
10 Affordable Housing Act, as amended, and such activities  
11 shall be an eligible activity with respect to any funds made  
12 available under this heading: Provided, That local  
13 YouthBuild programs that demonstrate an ability to lever-  
14 age private and nonprofit funding shall be given a priority  
15 for YouthBuild funding: Provided further, That no more  
16 than 10 percent of any grant award may be used for ad-  
17 ministrative costs: Provided further, That not less than  
18 \$10,000,000 shall be available for grants to establish  
19 YouthBuild programs in underserved and rural areas: Pro-  
20 vided further, That of the amount provided under this para-  
21 graph, \$2,000,000 shall be set aside and made available for  
22 a grant to YouthBuild USA for capacity building for com-  
23 munity development and affordable housing activities as  
24 specified in section 4 of the HUD Demonstration Act of  
25 1993, as amended.



1 *Act of 1974, as amended: Provided, That such costs, includ-*  
2 *ing the cost of modifying such loans, shall be as defined*  
3 *in section 502 of the Congressional Budget Act of 1974, as*  
4 *amended: Provided further, That these funds are available*  
5 *to subsidize total loan principal, any part of which is to*  
6 *be guaranteed, not to exceed \$608,696,000, notwithstanding*  
7 *any aggregate limitation on outstanding obligations guar-*  
8 *anteed in section 108(k) of the Housing and Community*  
9 *Development Act of 1974, as amended: Provided further,*  
10 *That in addition, for administrative expenses to carry out*  
11 *the guaranteed loan program, \$1,000,000, which shall be*  
12 *transferred to and merged with the appropriation for “Sal-*  
13 *aries and expenses”.*

14 *BROWNFIELDS REDEVELOPMENT*

15 *For Economic Development Grants for Brownfields re-*  
16 *development projects, \$25,000,000, to remain available*  
17 *until September 30, 2004: Provided, That the Secretary of*  
18 *Housing and Urban Development shall make these grants*  
19 *available on a competitive basis as specified in section 102*  
20 *of the Department of Housing and Urban Development Re-*  
21 *form Act of 1989: Provided further, That notwithstanding*  
22 *section 108(q) of the Housing and Community Development*  
23 *Act of 1974, recipients of funding made available under this*  
24 *heading may, at the discretion of the Secretary, also apply*  
25 *for funding under section 108.*

1            *HOME INVESTMENT PARTNERSHIPS PROGRAM*2                            *(INCLUDING TRANSFER OF FUNDS)*

3            *For the HOME investment partnerships program,*  
4 *as authorized under title II of the Cranston-Gonzalez Na-*  
5 *tional Affordable Housing Act, as amended, \$1,950,000,000,*  
6 *to remain available until September 30, 2005: Provided,*  
7 *That of the total amount provided under this heading, up*  
8 *to \$40,000,000 shall be available for housing counseling*  
9 *under section 106 of the Housing and Urban Development*  
10 *Act of 1968; and no less than \$1,100,000 shall be transferred*  
11 *to the Working Capital Fund for the development of and*  
12 *maintenance of, and modification to information tech-*  
13 *nology systems which serve Programs or activities under*  
14 *“Community Planning and Development”.*

15                            *HOMELESS ASSISTANCE GRANTS*16                            *(INCLUDING TRANSFER OF FUNDS)*

17            *For the emergency shelter grants program as author-*  
18 *ized under subtitle B of title IV of the McKinney-Vento*  
19 *Homeless Assistance Act, as amended; the supportive hous-*  
20 *ing program as authorized under subtitle C of title IV of*  
21 *such Act; the section 8 moderate rehabilitation single room*  
22 *occupancy program as authorized under the United States*  
23 *Housing Act of 1937, as amended, to assist homeless indi-*  
24 *viduals pursuant to section 441 of the McKinney-Vento*  
25 *Homeless Assistance Act; and the shelter plus care program*  
26 *as authorized under subtitle F of title IV of such Act,*

1 \$1,215,025,000, of which \$193,000,000 shall be available to  
2 renew expiring shelter plus care grants, to remain available  
3 until September 30, 2005: Provided, That not less than 30  
4 percent of funds made available, excluding amounts pro-  
5 vided for renewals under the shelter plus care program,  
6 shall be used for permanent housing: Provided further, That  
7 all funds awarded for services shall be matched by 25 per-  
8 cent in funding by each grantee: Provided further, That the  
9 Secretary shall renew on an annual basis expiring contracts  
10 or amendments to contracts funded under the shelter plus  
11 care program if the program is determined to be needed  
12 under the applicable continuum of care and meets appro-  
13 priate program requirements and financial standards, as  
14 determined by the Secretary: Provided further, That all  
15 awards of assistance under this heading shall be required  
16 to coordinate and integrate homeless programs with other  
17 mainstream health, social services, and employment pro-  
18 grams for which homeless populations may be eligible, in-  
19 cluding Medicaid, State Children's Health Insurance Pro-  
20 gram, Temporary Assistance for Needy Families, Food  
21 Stamps, and services funding through the Mental Health  
22 and Substance Abuse Block Grant, Workforce Investment  
23 Act, and the Welfare-to-Work grant program: Provided fur-  
24 ther, That \$17,600,000 of the funds appropriated under this  
25 heading shall be available for technical assistance and man-

1 *agement information systems: Provided further, That no*  
2 *less than \$1,500,000 of the funds appropriated under this*  
3 *heading shall be transferred to the Working Capital Fund:*  
4 *for the development of and modifications to information*  
5 *technology systems which serve activities under “Commu-*  
6 *nity Planning and Development”.*

7 *HOUSING PROGRAMS*

8 *HOUSING FOR SPECIAL POPULATIONS*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For assistance for the purchase, construction, acquisi-*  
11 *tion, or development of additional public and subsidized*  
12 *housing units for low income families not otherwise pro-*  
13 *vided for, \$1,033,801,000, to remain available until Sep-*  
14 *tember 30, 2005: Provided, That \$783,286,000, plus recap-*  
15 *tures or cancelled commitments, shall be for capital ad-*  
16 *vances, including amendments to capital advance contracts,*  
17 *for housing for the elderly, as authorized by section 202 of*  
18 *the Housing Act of 1959, as amended, and for project rental*  
19 *assistance for the elderly under section 202(c)(2) of such*  
20 *Act, including amendments to contracts for such assistance*  
21 *and renewal of expiring contracts for such assistance for*  
22 *up to a 1-year term, which shall remain available for dis-*  
23 *bursement until September 30, 2015, and for supportive*  
24 *services associated with the housing, of which amount*  
25 *\$44,000,000 plus up to \$9,000,000 of amounts recaptured*  
26 *or commitments cancelled under this heading, shall be for*

1 *service coordinators and the continuation of existing con-*  
2 *gregate service grants for residents of assisted housing*  
3 *projects, and of which amount up to \$50,000,000 shall be*  
4 *for grants under section 202b of the Housing Act of 1959*  
5 *(12 U.S.C. 1701q-2) for conversion of eligible projects under*  
6 *such section to assisted living or related use: Provided fur-*  
7 *ther, That of the amount under this heading, \$250,515,000*  
8 *shall be for capital advances, including amendments to cap-*  
9 *ital advance contracts, for supportive housing for persons*  
10 *with disabilities, as authorized by section 811 of the Cran-*  
11 *ston-Gonzalez National Affordable Housing Act, for project*  
12 *rental assistance for supportive housing for persons with*  
13 *disabilities under section 811(d)(2) of such Act, including*  
14 *amendments to contracts for such assistance and renewal*  
15 *of expiring contracts for such assistance for up to a 1-year*  
16 *term, which shall remain available for disbursement until*  
17 *September 30, 2015, and for supportive services associated*  
18 *with the housing for persons with disabilities as authorized*  
19 *by section 811(b)(1) of such Act, and for tenant-based rental*  
20 *assistance contracts entered into pursuant to section 811*  
21 *of such Act: Provided further, That no less than \$500,000,*  
22 *to be divided evenly between the appropriations for the sec-*  
23 *tion 202 and section 811 programs, shall be transferred to*  
24 *the Working Capital Fund for the development of and modi-*  
25 *fications to information technology systems which serve ac-*



1 *tivities under “Housing Programs” or “Federal Housing*  
2 *Administration,”: Provided further, That, in addition to*  
3 *amounts made available for renewal of tenant-based rental*  
4 *assistance contracts pursuant to the second proviso of this*  
5 *paragraph, the Secretary may designate up to 25 percent*  
6 *of the amounts earmarked under this paragraph for section*  
7 *811 of such Act for tenant-based assistance, as authorized*  
8 *under that section, including such authority as may be*  
9 *waived under the next proviso, which assistance is 5 years*  
10 *in duration: Provided further, That the Secretary may*  
11 *waive any provision of such section 202 and such section*  
12 *811 (including the provisions governing the terms and con-*  
13 *ditions of project rental assistance and tenant-based assist-*  
14 *ance) that the Secretary determines is not necessary to*  
15 *achieve the objectives of these programs, or that otherwise*  
16 *impedes the ability to develop, operate, or administer*  
17 *projects assisted under these programs, and may make pro-*  
18 *vision for alternative conditions or terms where appro-*  
19 *priate: Provided further, That all balances and recaptures,*  
20 *as of October 1, 2002, remaining in the “Congregate Hous-*  
21 *ing Services” account as authorized by the Housing and*  
22 *Community Development Amendments of 1978, as amend-*  
23 *ed, shall be transferred to and merged with the amounts*  
24 *for those purposes under this heading.*

1 *FLEXIBLE SUBSIDY FUND*2 *(TRANSFER OF FUNDS)*

3 *From the Rental Housing Assistance Fund, all uncom-*  
4 *mitted balances of excess rental charges as of September 30,*  
5 *2002, and any collections made during fiscal year 2003,*  
6 *shall be transferred to the Flexible Subsidy Fund, as author-*  
7 *ized by section 236(g) of the National Housing Act, as*  
8 *amended.*

9 *RENTAL HOUSING ASSISTANCE*

10 *The limitation otherwise applicable to the maximum*  
11 *payments that may be required in any fiscal year by all*  
12 *contracts entered into under section 236 of the National*  
13 *Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year*  
14 *2003 by not more than \$100,000,000 in uncommitted bal-*  
15 *ances of authorizations of contract authority provided for*  
16 *this purpose in appropriations acts: Provided, That up to*  
17 *\$100,000,000 of recaptured section 236 budget authority re-*  
18 *sulting from any actions described in section 236(s)(7)(A)*  
19 *of the National Housing Act (12 U.S.C. 1715z-1) shall be*  
20 *made available as provided under section 236(s) of the Na-*  
21 *tional Housing Act.*

22 *MANUFACTURED HOUSING FEES TRUST FUND*

23 *For necessary expenses as authorized by the National*  
24 *Manufactured Housing Construction and Safety Standards*  
25 *Act of 1974, as amended (42 U.S.C. 5401 et seq.),*  
26 *\$13,000,000, to remain available until expended, to be de-*

1 rived from the Manufactured Housing Fees Trust Fund:  
2 Provided, That not to exceed the total amount appropriated  
3 under this heading shall be available from the general fund  
4 of the Treasury to the extent necessary to incur obligations  
5 and make expenditures pending the receipt of collections to  
6 the Fund pursuant to section 620 of such Act: Provided fur-  
7 ther, That the amount made available under this heading  
8 from the general fund shall be reduced as such collections  
9 are received during fiscal year 2003 so as to result in a  
10 final fiscal year 2003 appropriation from the general fund  
11 estimated at not more than \$0 and fees pursuant to such  
12 section 620 shall be modified as necessary to ensure such  
13 a final fiscal year 2003 appropriation.

14 *FEDERAL HOUSING ADMINISTRATION*

15 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *During fiscal year 2003, commitments to guarantee*  
18 *loans to carry out the purposes of section 203(b) of the Na-*  
19 *tional Housing Act, as amended, shall not exceed a loan*  
20 *principal of \$160,000,000,000.*

21 *During fiscal year 2003, obligations to make direct*  
22 *loans to carry out the purposes of section 204(g) of the Na-*  
23 *tional Housing Act, as amended, shall not exceed*  
24 *\$250,000,000: Provided, That the foregoing amount shall be*  
25 *for loans to nonprofit and governmental entities in connec-*  
26 *tion with sales of single family real properties owned by*

1 *the Secretary and formerly insured under the Mutual Mort-*  
 2 *gage Insurance Fund.*

3 *For administrative expenses necessary to carry out the*  
 4 *guaranteed and direct loan program, \$347,829,000, of*  
 5 *which not to exceed \$343,807,000 shall be transferred to the*  
 6 *appropriation for "Salaries and expenses"; and not to ex-*  
 7 *ceed \$4,022,000 shall be transferred to the appropriation*  
 8 *for "Office of Inspector General". In addition, for adminis-*  
 9 *trative contract expenses, \$85,720,000, of which no less than*  
 10 *\$21,360,000 shall be transferred to the Working Capital*  
 11 *Fund for the development of and modifications to informa-*  
 12 *tion technology systems which serve programs or activities*  
 13 *under "Housing Programs" or "Federal Housing Adminis-*  
 14 *tration": Provided, That to the extent guaranteed loan com-*  
 15 *mitments exceed \$65,500,000,000 on or before April 1, 2003,*  
 16 *an additional \$1,400 for administrative contract expenses*  
 17 *shall be available for each \$1,000,000 in additional guaran-*  
 18 *teed loan commitments (including a pro rata amount for*  
 19 *any amount below \$1,000,000), but in no case shall funds*  
 20 *made available by this proviso exceed \$16,000,000.*

21 *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For the cost of guaranteed loans, as authorized by sec-*  
 24 *tions 238 and 519 of the National Housing Act (12 U.S.C.*  
 25 *1715z-3 and 1735c), including the cost of loan guarantee*  
 26 *modifications, as that term is defined in section 502 of the*

1 *Congressional Budget Act of 1974, as amended,*  
2 *\$15,000,000, to remain available until expended: Provided,*  
3 *That these funds are available to subsidize total loan prin-*  
4 *cipal, any part of which is to be guaranteed, of up to*  
5 *\$21,000,000,000.*

6 *Gross obligations for the principal amount of direct*  
7 *loans, as authorized by sections 204(g), 207(l), 238, and*  
8 *519(a) of the National Housing Act, shall not exceed*  
9 *\$50,000,000, of which not to exceed \$30,000,000 shall be for*  
10 *bridge financing in connection with the sale of multifamily*  
11 *real properties owned by the Secretary and formerly in-*  
12 *sured under such Act; and of which not to exceed*  
13 *\$20,000,000 shall be for loans to nonprofit and govern-*  
14 *mental entities in connection with the sale of single-family*  
15 *real properties owned by the Secretary and formerly in-*  
16 *sured under such Act.*

17 *In addition, for administrative expenses necessary to*  
18 *carry out the guaranteed and direct loan programs,*  
19 *\$223,716,400, of which \$204,395,400, shall be transferred*  
20 *to the appropriation for "Salaries and expenses"; and of*  
21 *which \$19,321,000 shall be transferred to the appropriation*  
22 *for "Office of Inspector General". In addition, for adminis-*  
23 *trative contract expenses necessary to carry out the guaran-*  
24 *teed and direct loan programs, \$93,780,000, of which no*  
25 *less than \$14,240,000 shall be transferred to the Working*

1 *Capital Fund for the development of and modifications to*  
2 *information technology systems which serve activities under*  
3 *“Housing Programs” or “Federal Housing Administra-*  
4 *tion”*: *Provided, That to the extent guaranteed loan commit-*  
5 *ments exceed \$8,426,000,000 on or before April 1, 2003, an*  
6 *additional \$1,980 for administrative contract expenses shall*  
7 *be available for each \$1,000,000 in additional guaranteed*  
8 *loan commitments over \$8,426,000,000 (including a pro*  
9 *rata amount for any increment below \$1,000,000), but in*  
10 *no case shall funds made available by this proviso exceed*  
11 *\$14,400,000.*

12 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*  
13 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*  
14 *GUARANTEE PROGRAM ACCOUNT*  
15 *(INCLUDING TRANSFER OF FUNDS)*

16 *New commitments to issue guarantees to carry out the*  
17 *purposes of section 306 of the National Housing Act, as*  
18 *amended (12 U.S.C. 1721(g)), shall not exceed*  
19 *\$200,000,000,000, to remain available until September 30,*  
20 *2004.*

21 *For administrative expenses necessary to carry out the*  
22 *guaranteed mortgage-backed securities program,*  
23 *\$10,343,000, to be derived from the GNMA guarantees of*  
24 *mortgage-backed securities guaranteed loan receipt account,*  
25 *of which not to exceed \$10,343,000, shall be transferred to*  
26 *the appropriation for “Salaries and expenses”.*

1                    *POLICY DEVELOPMENT AND RESEARCH*2                    *RESEARCH AND TECHNOLOGY*

3            *For contracts, grants, and necessary expenses of pro-*  
4 *grams of research and studies relating to housing and*  
5 *urban problems, not otherwise provided for, as authorized*  
6 *by title V of the Housing and Urban Development Act of*  
7 *1970, as amended (12 U.S.C. 1701z-1 et seq.), including*  
8 *carrying out the functions of the Secretary under section*  
9 *1(a)(1)(i) of Reorganization Plan No. 2 of 1968,*  
10 *\$47,000,000, to remain available until September 30, 2004:*  
11 *Provided, That of the total amount provided under this*  
12 *heading, \$8,750,000 shall be for the Partnership for Ad-*  
13 *vancing Technology in Housing (PATH) Initiative.*

14                    *FAIR HOUSING AND EQUAL OPPORTUNITY*15                    *FAIR HOUSING ACTIVITIES*

16            *For contracts, grants, and other assistance, not other-*  
17 *wise provided for, as authorized by title VIII of the Civil*  
18 *Rights Act of 1968, as amended by the Fair Housing*  
19 *Amendments Act of 1988, and section 561 of the Housing*  
20 *and Community Development Act of 1987, as amended,*  
21 *\$45,899,000, to remain available until September 30, 2004,*  
22 *of which \$20,250,000 shall be to carry out activities pursu-*  
23 *ant to such section 561: Provided, That no funds made*  
24 *available under this heading shall be used to lobby the exec-*

1 *utive or legislative branches of the Federal Government in*  
2 *connection with a specific contract, grant or loan.*

3 *OFFICE OF LEAD HAZARD CONTROL*

4 *LEAD HAZARD REDUCTION*

5 *For the Lead Hazard Reduction Program, as author-*  
6 *ized by section 1011 of the Residential Lead-Based Paint*  
7 *Hazard Reduction Act of 1992, \$201,000,000, to remain*  
8 *available until September 30, 2004, of which \$10,000,000*  
9 *shall be for the Healthy Homes Initiative, pursuant to sec-*  
10 *tions 501 and 502 of the Housing and Urban Development*  
11 *Act of 1970 that shall include research, studies, testing, and*  
12 *demonstration efforts, including education and outreach*  
13 *concerning lead-based paint poisoning and other housing-*  
14 *related diseases and hazards: Provided, That of the total*  
15 *amount made available under this heading, \$75,000,000*  
16 *shall be made available for an urban lead hazard reduction*  
17 *demonstration program in the form of grants to up to 25*  
18 *major urban areas, as identified by the Secretary as having:*  
19 *(1) the highest number of pre-1940 units of rental housing;*  
20 *(2) significant deterioration of paint; and (3) a dispropor-*  
21 *tionately high number of documented cases of lead-poisoned*  
22 *children: Provided further, That of the amounts made avail-*  
23 *able under this paragraph, grants will be allocated equally*  
24 *among major urban areas that meet the eligibility criteria*  
25 *for the abatement of lead-based paint hazards so long as*



1 a major urban area makes a contribution equal to 10 per-  
2 cent of the funds that are available to the grantee under  
3 this paragraph should all of the 25 eligible grantees receive  
4 awards: Provided further, That not less than 80 percent of  
5 the funds made available under this paragraph shall be used  
6 exclusively for abatement and interim control of lead-based  
7 hazards as defined by 42 U.S.C. 4851: Provided further,  
8 That of the total grant, up to 15 percent may be used for  
9 demolition and up to 20 percent of the funds may be avail-  
10 able for other lead-based paint hazards activities including  
11 risk assessments, testing and education: Provided further,  
12 That each major urban area shall target those privately-  
13 owned units and multifamily buildings that serve a major-  
14 ity of low-income families that are defined as low-income  
15 families as provided under section 3(b)(2) of the United  
16 States Housing Act of 1937: Provided further, That each  
17 major urban area shall submit a detailed plan and strategy  
18 that demonstrates adequate capacity that is acceptable to  
19 the Secretary of Housing and Urban Development on the  
20 proposed use of these funds pursuant to a Notice of Funding  
21 Availability issued by the Secretary no later than February  
22 15, 2003: Provided further, That for the purposes of envi-  
23 ronmental reviews for the urban lead hazard reduction dem-  
24 onstration, section 1011 of Title X of the 1992 Housing and  
25 Community Development Act shall apply: Provided further,

1 *That units treated, and the majority of units in multi-*  
2 *family buildings, remain available for low-income residents*  
3 *for at least 3 years following treatment: Provided further,*  
4 *That where a major urban area fails to meet the require-*  
5 *ments of this demonstration program, the Secretary shall*  
6 *reallocate the funds for that urban area to each of the other*  
7 *eligible major urban areas: Provided further, That the Sec-*  
8 *retary shall submit an annual report to the Congress on*  
9 *the effectiveness of this demonstration program concurrently*  
10 *with the submission of the congressional justifications for*  
11 *the budget of the Department of Housing and Urban Devel-*  
12 *opment: Provided further, That should legislation author-*  
13 *izing the urban lead hazard reduction demonstration pro-*  
14 *gram not be enacted by June 30, 2003, amounts designated*  
15 *for this initiative shall become available for any such pur-*  
16 *pose authorized under Section 1011 of the Residential Lead-*  
17 *based Paint Hazard Reduction Act of 1992.*

18 *MANAGEMENT AND ADMINISTRATION*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For necessary administrative and non-administrative*  
22 *expenses of the Department of Housing and Urban Develop-*  
23 *ment, not otherwise provided for, including purchase of uni-*  
24 *forms, or allowances therefor, as authorized by 5 U.S.C.*  
25 *5901–5902; hire of passenger motor vehicles; services as au-*  
26 *thorized by 5 U.S.C. 3109; and not to exceed \$25,000 for*

1 *official reception and representation expenses,*  
2 *\$1,070,229,000, of which \$548,202,400 shall be provided*  
3 *from the various funds of the Federal Housing Administra-*  
4 *tion, \$10,343,000 shall be provided from funds of the Gov-*  
5 *ernment National Mortgage Association, \$1,000,000 shall be*  
6 *provided from the “Community development loan guaran-*  
7 *tees program” account, \$150,000 shall be provided by trans-*  
8 *fer from the “Native American housing block grants” ac-*  
9 *count, \$200,000 shall be provided by transfer from the “In-*  
10 *dian housing loan guarantee fund program” account and*  
11 *\$35,000 shall be transferred from the “Native Hawaiian*  
12 *housing loan guarantee fund” account: Provided, That no*  
13 *less than \$10,500,000 shall be transferred to the Working*  
14 *Capital Fund for the development of and modifications to*  
15 *information technology systems.*

16 *OFFICE OF INSPECTOR GENERAL*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For necessary expenses of the Office of Inspector Gen-*  
19 *eral in carrying out the Inspector General Act of 1978, as*  
20 *amended, \$97,684,000, of which \$23,343,000 shall be pro-*  
21 *vided from the various funds of the Federal Housing Ad-*  
22 *ministration: Provided, That the Inspector General shall*  
23 *have independent authority over all personnel issues within*  
24 *this office: Provided further, That no less than \$300,000*  
25 *shall be transferred to the Working Capital Fund for the*

1 *development of and modifications to information technology*  
 2 *systems for the Office of Inspector General.*

3 *WORKING CAPITAL FUND*

4 *For additional capital for Working Capital Fund (42*  
 5 *U.S.C. 3535) for the development of, modifications to, and*  
 6 *infrastructure for Department-wide Information technology*  
 7 *systems, and for the continuing operation of both Depart-*  
 8 *ment-wide and program-specific information systems,*  
 9 *\$276,737,000 to remain available until September 30, 2004:*  
 10 *Provided, That any amounts transferred to this Fund under*  
 11 *this Act shall remain available until expended.*

12 *CONSOLIDATED FEE FUND*

13 *(RESCISSION)*

14 *Of the balances remaining available from fees and*  
 15 *charges under section 7(j) of the Department of Housing*  
 16 *and Urban Development Act on October 1, 2002, \$8,000,000*  
 17 *are rescinded.*

18 *OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For carrying out the Federal Housing Enterprises Fi-*  
 22 *nancial Safety and Soundness Act of 1992, including not*  
 23 *to exceed \$500 for official reception and representation ex-*  
 24 *penses, \$30,000,000, to remain available until expended, to*  
 25 *be derived from the Federal Housing Enterprises Oversight*  
 26 *Fund: Provided, That not to exceed such amount shall be*

1 *available from the general fund of the Treasury to the extent*  
2 *necessary to incur obligations and make expenditures pend-*  
3 *ing the receipt of collections to the Fund: Provided further,*  
4 *That the general fund amount shall be reduced as collections*  
5 *are received during the fiscal year so as to result in a final*  
6 *appropriation from the general fund estimated at not more*  
7 *than \$0.*

8 *ADMINISTRATIVE PROVISIONS*

9 *SEC. 201. Fifty percent of the amounts of budget au-*  
10 *thority, or in lieu thereof 50 percent of the cash amounts*  
11 *associated with such budget authority, that are recaptured*  
12 *from projects described in section 1012(a) of the Stewart*  
13 *B. McKinney Homeless Assistance Amendments Act of 1988*  
14 *(42 U.S.C. 1437 note) shall be rescinded, or in the case of*  
15 *cash, shall be remitted to the Treasury, and such amounts*  
16 *of budget authority or cash recaptured and not rescinded*  
17 *or remitted to the Treasury shall be used by State housing*  
18 *finance agencies or local governments or local housing agen-*  
19 *cies with projects approved by the Secretary of Housing and*  
20 *Urban Development for which settlement occurred after*  
21 *January 1, 1992, in accordance with such section. Notwith-*  
22 *standing the previous sentence, the Secretary may award*  
23 *up to 15 percent of the budget authority or cash recaptured*  
24 *and not rescinded or remitted to the Treasury to provide*

1 *project owners with incentives to refinance their project at*  
2 *a lower interest rate.*

3       *SEC. 202. None of the amounts made available under*  
4 *this Act may be used during fiscal year 2003 to investigate*  
5 *or prosecute under the Fair Housing Act any otherwise law-*  
6 *ful activity engaged in by one or more persons, including*  
7 *the filing or maintaining of a non-frivolous legal action,*  
8 *that is engaged in solely for the purpose of achieving or*  
9 *preventing action by a Government official or entity, or a*  
10 *court of competent jurisdiction.*

11       *SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of*  
12 *the AIDS Housing Opportunity Act (42 U.S.C.*  
13 *12903(c)(1)(A)), from any amounts made available under*  
14 *this title for fiscal year 2003 that are allocated under such*  
15 *section, the Secretary of Housing and Urban Development*  
16 *shall allocate and make a grant, in the amount determined*  
17 *under subsection (b), for any State that—*

18               *(1) received an allocation in a prior fiscal year*  
19               *under clause (ii) of such section; and*

20               *(2) is not otherwise eligible for an allocation for*  
21 *fiscal year 2003 under such clause (ii) because the*  
22 *areas in the State outside of the metropolitan statis-*  
23 *tical areas that qualify under clause (i) in fiscal year*  
24 *2003 do not have the number of cases of acquired im-*

1        *immunodeficiency syndrome (AIDS) required under*  
2        *such clause.*

3        *(b) The amount of the allocation and grant for any*  
4        *State described in subsection (a) shall be an amount based*  
5        *on the cumulative number of AIDS cases in the areas of*  
6        *that State that are outside of metropolitan statistical areas*  
7        *that qualify under clause (i) of such section 854(c)(1)(A)*  
8        *in fiscal year 2003, in proportion to AIDS cases among*  
9        *cities and States that qualify under clauses (i) and (ii) of*  
10       *such section and States deemed eligible under subsection*  
11       *(a).*

12       *SEC. 204. (a) Section 225(a) of the Departments of*  
13       *Veterans Affairs and Housing and Urban Development, and*  
14       *Independent Agencies Appropriations Act, 2000, Public*  
15       *Law 106-74 (113 Stat. 1076), is amended by striking “year*  
16       *2000, and the amounts that would otherwise be allocated*  
17       *for fiscal year 2001 and fiscal year 2002”, and inserting*  
18       *“years 2000, 2001, 2002, and 2003”.*

19       *(b) Notwithstanding any other provision of law, the*  
20       *Secretary of Housing and Urban Development shall allocate*  
21       *to Wake County, North Carolina, the amounts that other-*  
22       *wise would be allocated for fiscal year 2003 under section*  
23       *854(c) of the AIDS Housing Opportunity Act (42 U.S.C.*  
24       *12903(c)) to the City of Raleigh, North Carolina, on behalf*  
25       *of the Raleigh-Durham-Chapel Hill, North Carolina Metro-*

1 *ropolitan Statistical Area. Any amounts allocated to Wake*  
2 *County shall be used to carry out eligible activities under*  
3 *section 855 of such Act (42 U.S.C. 12904) within such met-*  
4 *ropolitan statistical area.*

5       *SEC. 205. (a) During fiscal year 2003, in the provision*  
6 *of rental assistance under section 8(o) of the United States*  
7 *Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection*  
8 *with a program to demonstrate the economy and effective-*  
9 *ness of providing such assistance for use in assisted living*  
10 *facilities that is carried out in the counties of the State of*  
11 *Michigan specified in subsection (b) of this section, notwith-*  
12 *standing paragraphs (3) and (18)(B)(iii) of such section*  
13 *8(o), a family residing in an assisted living facility in any*  
14 *such county, on behalf of which a public housing agency*  
15 *provides assistance pursuant to section 8(o)(18) of such Act,*  
16 *may be required, at the time the family initially receives*  
17 *such assistance, to pay rent in an amount exceeding 40 per-*  
18 *cent of the monthly adjusted income of the family by such*  
19 *a percentage or amount as the Secretary of Housing and*  
20 *Urban Development determines to be appropriate.*

21       *(b) The counties specified in this subsection are Oak-*  
22 *land County, Macomb County, Wayne County, and*  
23 *Washtenaw County, in the State of Michigan.*

24       *SEC. 206. Except as explicitly provided in law, any*  
25 *grant or assistance made pursuant to title II of this Act*



1 *shall be made on a competitive basis in accordance with*  
2 *section 102 of the Department of Housing and Urban Devel-*  
3 *opment Reform Act of 1989.*

4 *SEC. 207. Section 683(2) of the Housing and Commu-*  
5 *nity Development Act of 1992 is amended—*

6 *(1) in subparagraph (F), by striking “and”;*

7 *(2) in subparagraph (G), by striking “section.”*  
8 *and inserting “section; and”; and*

9 *(3) by adding the following new subparagraph at*  
10 *the end:*

11 *“(H) housing that is assisted under section 811*  
12 *of the Cranston-Gonzalez National Affordable Hous-*  
13 *ing Act.”.*

14 *SEC. 208. Section 9 of the United States Housing Act*  
15 *of 1937 is amended by inserting at the end the following*  
16 *new subsection:*

17 *“(o) LOAN DEVELOPMENT FUNDING.—*

18 *“(1) In order to facilitate the financing of the re-*  
19 *habilitation and development needs of public housing,*  
20 *public housing agencies may enter into loans or other*  
21 *financial obligations with financial institutions for*  
22 *the purpose of financing the rehabilitation of a por-*  
23 *tion of public housing or the development off-site of*  
24 *public housing in mixed income developments (in-*  
25 *cluding demolition costs of the public housing units to*

1       *be replaced), provided that the number of public hous-*  
2       *ing units developed off-site replaces no less than an*  
3       *equal number of on-site public housing units in a*  
4       *project. Loans or other obligations entered into pursu-*  
5       *ant to this subsection shall be in such form and de-*  
6       *nominations, have such maturities, and be subject to*  
7       *such conditions as may be prescribed by regulations*  
8       *issued by the Secretary.*

9               *“(2) The Secretary may prohibit a public hous-*  
10       *ing agency from obtaining a loan under this sub-*  
11       *section only if the rehabilitation or replacement hous-*  
12       *ing proposed by a public housing agency is incon-*  
13       *sistent with its Public Housing Agency Plan, as sub-*  
14       *mitted under section 5A, or the proposed terms of the*  
15       *guaranteed loan constitutes an unacceptable financial*  
16       *risk to the public housing agency or for repayment of*  
17       *the loan under this subsection.*

18               *“(3) Notwithstanding any other provision of this*  
19       *title, funding allocated to a public housing agency*  
20       *under subsections (d)(2) and (e)(2) of this section for*  
21       *capital and operating funds is authorized for use in*  
22       *the payment of the principal and interest due (in-*  
23       *cluding such servicing, underwriting or other costs as*  
24       *may be specified in the regulations of the secretary)*

1       on the loans or other obligations entered into pursu-  
2       ant to this subsection.

3           “(4) The amount of any loan or other obligation  
4       entered into under this subsection shall not exceed in  
5       total the pro-rata amount of funds that would be allo-  
6       cated over a period not to exceed 30 years under sub-  
7       sections (d)(2) and (e)(2) of this section on a per unit  
8       basis as a percentage of the number of units that are  
9       designated to be rehabilitated or replaced under this  
10      subsection by a public housing agency as compared to  
11      the total number of units in the public housing devel-  
12      opment, as determined on the basis of funds made  
13      available under such subsections (d)(2) and (e)(2) in  
14      the previous year. Any reduction in the total amount  
15      of funds provided to a public housing agency under  
16      this section in subsequent years shall not reduce the  
17      amount of funds to be paid under a loan entered into  
18      under this subsection but instead shall reduce the cap-  
19      ital and operating funds which are available for the  
20      other housing units in the public housing development  
21      in that fiscal year. Any additional income, including  
22      the receipt of rental income from tenants, generated  
23      by the rehabilitated or replaced units may be used to  
24      establish a loan loss reserve for the public housing  
25      agency to assist in the repayment of loans or other

1        *obligations entered into under this subsection or to*  
2        *address any shortfall in the operating or capital*  
3        *needs of the public housing agency in any fiscal year.*

4            *“(5) Subject to appropriations, the Secretary*  
5        *may use funds from the Public Housing Capital*  
6        *Fund to (A) establish a loan loss reserve account*  
7        *within the Department of Housing and Urban Devel-*  
8        *opment to minimize the risk of loss associated with*  
9        *the repayment of loans made under this subsection, or*  
10       *(B) make grants to a public housing agency for cap-*  
11       *ital investment needs or for the creation of a loan loss*  
12       *reserve account to be used in conjunction with a loan*  
13       *made under this subsection for the rehabilitation of a*  
14       *portion of public housing or the development off-site*  
15       *of public housing in mixed income developments (in-*  
16       *cluding demolition costs of the public housing units to*  
17       *be replaced).*

18            *“(6) The Secretary may, to the extent approved*  
19        *in appropriations Acts, assist in the payment of all*  
20        *or a portion of the principal and interest amount due*  
21        *under the loan or other obligation entered into under*  
22        *this subsection, if the Secretary determines that the*  
23        *public housing agency is unable to pay the amount*  
24        *it owes because of circumstances of extreme hardship*  
25        *beyond the control of the public housing agency.*

1           “(7) Any loan or other obligation (including any  
2 mortgage instrument) entered into under this sub-  
3 section shall include use restrictions that ensure the  
4 units rehabilitated or developed under this subsection  
5 shall be reserved for occupancy by families eligible for  
6 public housing under section 3 of this Act, and such  
7 use restrictions shall continue to apply to these units  
8 upon any default or foreclosure.

9           “(8) The Secretary is authorized to provide  
10 mortgage insurance upon such terms and conditions  
11 as may be appropriate to underwrite any loan or  
12 other obligation (including any mortgage instrument)  
13 entered into under this subsection. The Secretary shall  
14 establish premiums to support the cost of this mort-  
15 gage insurance which shall be paid by public housing  
16 agencies through funds made available under sub-  
17 sections (d)(2) and (e)(2) of this section. The Sec-  
18 retary shall maintain all units subject to a loan or  
19 other obligation insured under this section as public  
20 housing upon any default and foreclosure and shall  
21 establish upon such terms and conditions as may be  
22 appropriate to ensure repayment of any amounts that  
23 are owed upon default or foreclosure.”.

24       SEC. 209. Notwithstanding any other provision of law,  
25 no funds in this Act or in any other Act in any fiscal year,

1 *including all future and prior fiscal years, may be used*  
2 *hereafter by the Secretary of Housing and Urban Develop-*  
3 *ment to provide any assistance or other funds for housing*  
4 *units defined in section 9(n) of the United States Housing*  
5 *Act of 1937 (as in effect immediately before the enactment*  
6 *of this Act) as “covered locally developed public housing*  
7 *units”. The States of New York and Massachusetts shall re-*  
8 *imburse any funds already made available under any ap-*  
9 *propriations Act for these units to the Secretary of Housing*  
10 *and Urban Development for reallocation to public housing*  
11 *agencies: Provided, That, if either State fails to make such*  
12 *reimbursement within 12 months, the Secretary shall recap-*  
13 *ture such funds through reductions from the amounts allo-*  
14 *cated to each State under section 106 of the Housing and*  
15 *Community Development Act of 1974.*

16       *SEC. 210. Funds of the Department of Housing and*  
17 *Urban Development subject to the Government Corporation*  
18 *Control Act or section 402 of the Housing Act of 1950 shall*  
19 *be available, without regard to the limitations on adminis-*  
20 *trative expenses, for legal services on a contract or fee basis,*  
21 *and for utilizing and making payment for services and fa-*  
22 *cilities of the Federal National Mortgage Association, Gov-*  
23 *ernment National Mortgage Association, Federal Home*  
24 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*  
25 *eral Reserve banks or any member thereof, Federal Home*

1 *Loan banks, and any insured bank within the meaning of*  
2 *the Federal Deposit Insurance Corporation Act, as amended*  
3 *(12 U.S.C. 1811–1831).*

4 *SEC. 211. Unless otherwise provided for in this Act*  
5 *or through a reprogramming of funds, no part of any ap-*  
6 *propriation for the Department of Housing and Urban De-*  
7 *velopment shall be available for any activity in excess of*  
8 *amounts set forth in the budget estimates submitted to Con-*  
9 *gress.*

10 *SEC. 212. Corporations and agencies of the Depart-*  
11 *ment of Housing and Urban Development which are subject*  
12 *to the Government Corporation Control Act, as amended,*  
13 *are hereby authorized to make such expenditures, within the*  
14 *limits of funds and borrowing authority available to each*  
15 *such corporation or agency and in accordance with law,*  
16 *and to make such contracts and commitments without re-*  
17 *gard to fiscal year limitations as provided by section 104*  
18 *of such Act as may be necessary in carrying out the pro-*  
19 *grams set forth in the budget for 2003 for such corporation*  
20 *or agency except as hereinafter provided: Provided, That*  
21 *collections of these corporations and agencies may be used*  
22 *for new loan or mortgage purchase commitments only to*  
23 *the extent expressly provided for in this Act (unless such*  
24 *loans are in support of other forms of assistance provided*  
25 *for in this or prior appropriations Acts), except that this*

1 *proviso shall not apply to the mortgage insurance or guar-*  
2 *anty operations of these corporations, or where loans or*  
3 *mortgage purchases are necessary to protect the financial*  
4 *interest of the United States Government.*

5 *SEC. 213. (a) Section 9(n)(1) of the United States*  
6 *Housing Act of 1937 is hereby repealed.*

7 *(b) Section 226 of the Departments of Veterans Affairs*  
8 *and Housing and Urban development, and Independent*  
9 *Agencies Appropriations Act, 1999, is hereby repealed.*

10 *(c) The amendment made by subsection (a) shall be*  
11 *deemed to have taken effect on October 1, 1998.*

12 *(d) The amendment made by subsection (b) shall be*  
13 *deemed to have taken effect on October 21, 1998.*

14 *SEC. 214. Notwithstanding any other provision of law,*  
15 *in fiscal year 2003 and each fiscal year thereafter, in man-*  
16 *aging and disposing of any multifamily property that is*  
17 *owned or held by the Secretary and is occupied primarily*  
18 *by elderly or disabled families, the Secretary of Housing*  
19 *and Urban Development shall maintain any rental assist-*  
20 *ance payments under section 8 of the United States Hous-*  
21 *ing Act of 1937 that are attached to any dwelling units*  
22 *in the property. To the extent the Secretary determines that*  
23 *such a multifamily property owned or held by the Secretary*  
24 *is not feasible for continued rental assistance payments*  
25 *under such section 8, the Secretary may, in consultation*



1 *with the tenants of that property, contract for project-based*  
 2 *rental assistance payments with an owner or owners of*  
 3 *other existing housing properties or provide other rental as-*  
 4 *sistance.*

5 *SEC. 215. (a) Section 8(o) of the United States Hous-*  
 6 *ing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding*  
 7 *at the end the following:*

8 *“(22) WELFARE-TO-WORK HOUSING VOUCHER*  
 9 *PROGRAM.—*

10 *“(A) RENEWAL.—Upon renewal, incre-*  
 11 *mental vouchers awarded under this paragraph*  
 12 *shall continue to be administered under this*  
 13 *paragraph*

14 *“(B) ELIGIBLE GRANTEES.—A public hous-*  
 15 *ing agency (including Indian tribes and tribally*  
 16 *designated housing entities, as defined by the*  
 17 *Secretary) is eligible to receive assistance under*  
 18 *this paragraph if the public housing agency*  
 19 *demonstrates, to the satisfaction of the*  
 20 *Secretary—*

21 *“(i) that the agency—*

22 *“(I) is effectively administering a*  
 23 *voucher program;*

24 *“(II) is capable of leasing the al-*  
 25 *lotted number of welfare-to-work vouch-*

1            *ers in the time allowed by the Sec-*  
2            *retary; and*

3            *“(III) has included in the annual*  
4            *plan of the agency a description of a*  
5            *program to provide welfare-to-work*  
6            *vouchers; and*

7            *“(ii) that the agency—*

8            *“(I) is carrying out an effective*  
9            *welfare-to-work housing program using*  
10           *Federal, State, or local funds (includ-*  
11           *ing vouchers funded under the Depart-*  
12           *ments of Veterans Affairs and Housing*  
13           *and Urban Development, and Inde-*  
14           *pendent Agencies Appropriations Act,*  
15           *1999 (Public Law 105–276), or other*  
16           *vouchers), and has a collaboration with*  
17           *the State, local, or tribal entities ad-*  
18           *ministering the programs under part A*  
19           *of title IV of the Social Security Act*  
20           *(42 U.S.C. 601 et seq.) and under the*  
21           *Workforce Investment Act of 1998 (29*  
22           *U.S.C. 2811 et seq.) that serve families*  
23           *in the jurisdiction; or*

24           *“(II) has entered into a memo-*  
25           *randum of understanding with the*

1            *State, local, or tribal entities that ad-*  
2            *minister the programs under part A of*  
3            *title IV of the Social Security Act (42*  
4            *U.S.C. 601 et seq.) and under the*  
5            *Workforce Investment Act of 1998 (29*  
6            *U.S.C. 2811 et seq.) that serve families*  
7            *in the jurisdiction, and such memo-*  
8            *randa specify how the agencies will*  
9            *collaborate with the public housing*  
10           *agency in identifying eligible families,*  
11           *determining criteria for selection*  
12           *among eligible families in light of the*  
13           *circumstances in the jurisdiction, and*  
14           *providing payments and services to*  
15           *families (including outreach to owners*  
16           *and case management) so that families*  
17           *may obtain housing in an area of*  
18           *greater employment opportunity or in*  
19           *proximity to a current place of em-*  
20           *ployment or transportation to employ-*  
21           *ment and overcome other barriers to*  
22           *obtaining or retaining employment.*

23                            *“(C) ADDITIONAL CRITERIA FOR GRANTEE*  
24                            *SELECTION.—The Secretary—*

1           “(i) may establish criteria in addition  
2           to that established in subparagraph (B) for  
3           the selection of public housing agencies that  
4           are eligible to receive assistance under this  
5           paragraph; and

6           “(ii) shall consult with the Secretary of  
7           Health and Human Services and the Sec-  
8           retary of Labor in determining additional  
9           criteria under this subparagraph.

10          “(D) *ELIGIBLE FAMILIES.*—Families se-  
11          lected to receive assistance under this paragraph  
12          shall be—

13               “(i) receiving, or shall have received in  
14               the 2 years preceding the date on which the  
15               family was selected to receive assistance  
16               under this paragraph, assistance or other  
17               payments (including benefits provided by  
18               payments to third parties) or services fund-  
19               ed under the Temporary Assistance for  
20               Needy Families (TANF) program under  
21               part A of title IV of the Social Security Act  
22               or as part of a qualified State expenditure  
23               of a State under section 409(a)(7)(B)(i) of  
24               such Act; and

1           “(ii) *in need of housing voucher assist-*  
2           *ance as determined by the public housing*  
3           *agency, the agency that administers the*  
4           *Temporary Assistance for Needy Families*  
5           *program, or the Workforce Investment Agen-*  
6           *cy in order to obtain housing in an area of*  
7           *greater employment opportunity or in prox-*  
8           *imity to a current place of employment or*  
9           *transportation to employment; participate*  
10           *effectively in a program to overcome bar-*  
11           *riers to employment; or retain employment*  
12           *or increase hours of employment.*

13           “(E) *PREFERENCE.—The Secretary shall*  
14           *give preference in the award of assistance under*  
15           *this paragraph to public housing agencies within*  
16           *a State—*

17           *“(i) with jurisdiction that minimizes*  
18           *the need to use the procedures established*  
19           *under subsection (r) to allow families to re-*  
20           *side in areas with job opportunities; or*

21           *“(ii) that demonstrate, to the satisfac-*  
22           *tion of the Secretary, that the procedures*  
23           *under subsection (r) do not pose a barrier*  
24           *to the choice of housing for families.”.*

1        *SEC. 216. A public housing agency or such other entity*  
2 *that administers Federal housing assistance in the states*  
3 *of Alaska, Iowa, and Mississippi shall not be required to*  
4 *include a resident of public housing or a recipient of assist-*  
5 *ance provided under section 8 of the United States Housing*  
6 *Act of 1937 on the board of directors or a similar governing*  
7 *board of such agency or entity as required under section*  
8 *(2)(b) of such Act. Each public housing agency or other en-*  
9 *tity that administers Federal housing assistance under sec-*  
10 *tion 8 in the states of Alaska, Iowa and Mississippi shall*  
11 *establish an advisory board of not less than 6 residents of*  
12 *public housing or recipients of section 8 assistance to pro-*  
13 *vide advice and comment to the public housing agency or*  
14 *other administering entity on issues related to public hous-*  
15 *ing and section 8. Such advisory board shall meet not less*  
16 *than quarterly.*

17        *SEC. 217. The Director of the Office of Management*  
18 *and Budget and the Secretary of Housing and Urban Devel-*  
19 *opment shall include as part of the fiscal year 2004 budget*  
20 *(and for each budget in each succeeding fiscal year) for the*  
21 *Department of Housing and Urban Development a separate*  
22 *line in each account for the cost of contract rental renewals,*  
23 *where applicable. The Budget Justifications for Department*  
24 *of Housing and Urban Development shall include a five-*  
25 *year run-out of the cost of all contract rental renewals.*

1        *SEC. 218. (a) Section 24(m)(1) of the United States*  
2 *Housing Act of 1937 (42 U.S.C. 1437v(m)(1)) is amended*  
3 *by striking “\$600,000,000” and all that follows through*  
4 *“2002” and inserting the following: “\$574,000,000 for fiscal*  
5 *year 2003”.*

6        *(b) Section 24(n) of the United States Housing Act*  
7 *of 1937 (42 U.S.C. 1437v(n)) is amended by striking “Sep-*  
8 *tember 30, 2002” and inserting “September 30, 2004”.*

9        *SEC. 219. No funds in this Act or any other Act in*  
10 *any fiscal year may hereafter be used by the Secretary of*  
11 *Housing and Urban Development to waive any income eli-*  
12 *gibility restrictions on housing that has been assisted under*  
13 *Section 8 of the United States Housing Act of 1937 unless*  
14 *explicitly authorized by law.*

15        *SEC. 220. The Director of the Office of Budget in the*  
16 *Department of Housing and Urban Development shall pro-*  
17 *vide quarterly reports to the House and Senate Committees*  
18 *on Appropriations regarding all uncommitted, unobligated,*  
19 *and excess funds in each program and activity within the*  
20 *jurisdiction of the Department of Housing and Urban De-*  
21 *velopment and shall submit additional, updated informa-*  
22 *tion to these committees within 12 hours of any request.*

23        *SEC. 221. Section 204, as amended, of the Departments*  
24 *of Veterans Affairs and Housing and Urban Development,*  
25 *and Independent Agencies Appropriations Act, 1997, Pub-*

1 *lic Law 104–204 (12 U.S.C. 1715z–11a), is amended by*  
2 *inserting “or other sites as part of a revitalization plan*  
3 *that includes such a property” after the words “on the prop-*  
4 *erties (which shall be eligible whether vacant or occupied)”.*

5       *SEC. 222. The Secretary of Housing and Urban Devel-*  
6 *opment shall submit an annual report no later than August*  
7 *30, 2003 and annually thereafter to the House and Senate*  
8 *Committees on Appropriations regarding the number of*  
9 *Federally assisted units under lease and the per unit cost*  
10 *of these units to the Department of Housing and Urban*  
11 *Development. This data shall cover all units that are as-*  
12 *sisted by funds made available under the “Housing Certifi-*  
13 *cate Fund”. This report should be accurate within 30 days*  
14 *of submission.*

15       *SEC. 223. Notwithstanding the requirements regarding*  
16 *first-time homebuyers in section 104 of the National Afford-*  
17 *able Housing Act of 1990 (42 U.S.C. 12704), the Enterprise*  
18 *Housing Corporation of Maryland may use the remaining*  
19 *balance of the grant award, H3–95MD0005–I–N, within*  
20 *the East Baltimore Community of the City of Baltimore,*  
21 *Maryland.*

22       *SEC. 224. The part of the HUD Community Develop-*  
23 *ment Block Grant to the State of Iowa which is adminis-*  
24 *tered by the Iowa Department of Economic Development*  
25 *(grant number B99DC190001) and which, in turn, was*



1 *granted by the Iowa Department of Economic Development*  
2 *to Benton County, Iowa (Benton County contract number*  
3 *01–WS–006–99), for the purpose of providing safe potable*  
4 *water to residences of southern Benton County through a*  
5 *distribution system constructed by Poweshiek Water Asso-*  
6 *ciation, is exempt from the provisions of section 104(g)(2),*  
7 *(g)(3) and (g)(4) of title I of the Housing and Community*  
8 *Act of 1974, as amended.*

9 *TITLE III—INDEPENDENT AGENCIES*

10 *AMERICAN BATTLE MONUMENTS COMMISSION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses, not otherwise provided for, of*  
13 *the American Battle Monuments Commission, including the*  
14 *acquisition of land or interest in land in foreign countries;*  
15 *purchases and repair of uniforms for caretakers of national*  
16 *cemeteries and monuments outside of the United States and*  
17 *its territories and possessions; rent of office and garage*  
18 *space in foreign countries; purchase (one for replacement*  
19 *only) and hire of passenger motor vehicles; and insurance*  
20 *of official motor vehicles in foreign countries, when required*  
21 *by law of such countries, \$30,400,000, to remain available*  
22 *until expended.*

1    *CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD*  
2                                    *SALARIES AND EXPENSES*

3           *For necessary expenses in carrying out activities pur-*  
4 *suant to section 112(r)(6) of the Clean Air Act, as amended,*  
5 *including hire of passenger vehicles, uniforms or allowances*  
6 *therefor, as authorized by 5 U.S.C. 5901–5902, and for serv-*  
7 *ices authorized by 5 U.S.C. 3109, but at rates for individ-*  
8 *uals not to exceed the per diem equivalent to the maximum*  
9 *rate payable for senior level positions under 5 U.S.C. 5376,*  
10 *\$7,850,000, of which \$7,350,000 is to remain available*  
11 *until September 30, 2003 and \$500,000 is to remain avail-*  
12 *able until September 30, 2004: Provided, That the Chemical*  
13 *Safety and Hazard Investigation Board shall have not more*  
14 *than three career Senior Executive Service positions: Pro-*  
15 *vided further, That, hereafter, there shall be an Inspector*  
16 *General at the Board who shall have the duties, responsibil-*  
17 *ities, and authorities specified in the Inspector General Act*  
18 *of 1978, as amended: Provided further, That an individual*  
19 *appointed to the position of Inspector General of the Federal*  
20 *Emergency Management Agency (FEMA) shall, by virtue*  
21 *of such appointment, also hold the position of Inspector*  
22 *General of the Board: Provided further, That the Inspector*  
23 *General of the Board shall utilize personnel of the Office*  
24 *of Inspector General of FEMA in performing the duties of*

1 *the Inspector General of the Board, and shall not appoint*  
2 *any individuals to positions within the Board.*

3 *DEPARTMENT OF THE TREASURY*  
4 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS*  
5 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND*  
6 *PROGRAM ACCOUNT*

7 *To carry out the Community Development Banking*  
8 *and Financial Institutions Act of 1994, including services*  
9 *authorized by 5 U.S.C. 3109, but at rates for individuals*  
10 *not to exceed the per diem rate equivalent to the rate for*  
11 *ES-3, \$73,000,000, to remain available until September*  
12 *30, 2004, of which \$5,000,000 shall be for technical assist-*  
13 *ance and training programs designed to benefit Native*  
14 *American, Native Hawaiian, and Alaskan Native commu-*  
15 *nities and provided primarily through qualified commu-*  
16 *nity development lenders organizations with experience and*  
17 *expertise in community development banking and lending*  
18 *in Indian country, Native American organizations, tribes*  
19 *and tribal organizations and other suitable providers, and*  
20 *up to \$10,750,000 may be used for administrative expenses,*  
21 *including administration of the New Markets Tax Credit,*  
22 *up to \$6,000,000 may be used for the cost of direct loans,*  
23 *and up to \$250,000 may be used for administrative ex-*  
24 *penses to carry out the direct loan program: Provided, That*  
25 *the cost of direct loans, including the cost of modifying such*

1 *loans, shall be as defined in section 502 of the Congressional*  
2 *Budget Act of 1974, as amended: Provided further, That*  
3 *these funds are available to subsidize gross obligations for*  
4 *the principal amount of direct loans not to exceed*  
5 *\$11,000,000.*

6 *INTERAGENCY COUNCIL ON THE HOMELESS*

7 *OPERATING EXPENSES*

8 *For necessary expenses (including payment of salaries,*  
9 *authorized travel, hire of passenger motor vehicles, the rent-*  
10 *al of conference rooms in the District of Columbia, and the*  
11 *employment of experts and consultants under section 3109*  
12 *of title 5, United States Code) of the Interagency Council*  
13 *on the Homeless in carrying out the functions pursuant to*  
14 *title II of the McKinney-Vento Homeless Assistance Act, as*  
15 *amended, \$1,500,000.*

16 *CONSUMER PRODUCT SAFETY COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Consumer Product Safety*  
19 *Commission, including hire of passenger motor vehicles,*  
20 *services as authorized by 5 U.S.C. 3109, but at rates for*  
21 *individuals not to exceed the per diem rate equivalent to*  
22 *the maximum rate payable under 5 U.S.C. 5376, purchase*  
23 *of nominal awards to recognize non-Federal officials' con-*  
24 *tributions to Commission activities, and not to exceed \$500*

1 *for official reception and representation expenses,*  
2 *\$56,767,000.*

3 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

4 *NATIONAL AND COMMUNITY SERVICE PROGRAMS*

5 *OPERATING EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses for the Corporation for Na-*  
8 *tional and Community Service (the "Corporation") in car-*  
9 *rying out programs, activities, and initiatives under the*  
10 *National and Community Service Act of 1990 (the "Act")*  
11 *(42 U.S.C. 12501 et seq.), \$405,842,000, to remain available*  
12 *until September 30, 2004: Provided, That the Corporation*  
13 *shall enroll no more than 50,000 members in the*  
14 *AmeriCorps programs: Provided further, That not more*  
15 *than \$32,500,000 shall be available for administrative ex-*  
16 *penses authorized under section 501(a)(4): Provided further,*  
17 *That not more than \$2,500 shall be for official reception*  
18 *and representation expenses: Provided further, That not*  
19 *more than \$15,000,000, to remain available until expended,*  
20 *shall be transferred to the National Service Trust of which*  
21 *up to \$5,000,000 shall be available for national service*  
22 *scholarships for high school students performing community*  
23 *service: Provided further, That not more than \$240,492,000*  
24 *of the amount provided under this heading shall be avail-*  
25 *able for grants under the National Service Trust program*  
26 *authorized under subtitle C of title I of the Act (42 U.S.C.*

1 12571 et seq.) (relating to activities including the  
2 AmeriCorps program), of which not more than \$47,000,000  
3 may be used to administer, reimburse, or support any na-  
4 tional service program authorized under section 121(d)(2)  
5 of such Act (42 U.S.C. 12581(d)(2)): Provided further, That  
6 to the maximum extent feasible, funds appropriated under  
7 subtitle C of title I of the Act shall be provided in a manner  
8 that is consistent with the recommendations of peer review  
9 panels in order to ensure that priority is given to programs  
10 that demonstrate quality, innovation, replicability, and  
11 sustainability: Provided further, That not more than  
12 \$10,000,000 of the funds made available under this heading  
13 shall be made available for the Points of Light Foundation  
14 for activities authorized under title III of the Act (42 U.S.C.  
15 12661 et seq.), of which not more than \$2,500,000 may be  
16 used to support an endowment fund, the corpus of which  
17 shall remain intact and the interest income from which  
18 shall be used to support activities described in title III of  
19 the Act, provided that the Foundation may invest the cor-  
20 pus and income in federally insured bank savings accounts  
21 or comparable interest bearing accounts, certificates of de-  
22 posit, money market funds, mutual funds, obligations of the  
23 United States, and other market instruments and securities  
24 but not in real estate investments: Provided further, That  
25 no funds shall be available for national service programs

1 *run by Federal agencies authorized under section 121(b) of*  
2 *such Act (42 U.S.C. 12571(b)): Provided further, That to*  
3 *the maximum extent practicable, the Corporation shall in-*  
4 *crease significantly the level of matching funds and in-kind*  
5 *contributions provided by the private sector, and shall re-*  
6 *duce the total Federal costs per participant in all programs:*  
7 *Provided further, That not more than \$25,000,000 of the*  
8 *funds made available under this heading shall be available*  
9 *for the Civilian Community Corps authorized under sub-*  
10 *title E of title I of the Act (42 U.S.C. 12611 et seq.): Pro-*  
11 *vided further, That not more than \$43,000,000 shall be*  
12 *available for school-based and community-based service-*  
13 *learning programs authorized under subtitle B of title I of*  
14 *the Act (42 U.S.C. 12521 et seq.): Provided further, That*  
15 *not more than \$29,850,000 shall be available for quality*  
16 *and innovation activities authorized under subtitle H of*  
17 *title I of the Act (42 U.S.C. 12853 et seq.), of which*  
18 *\$10,000,000 shall be available for challenge grants to non-*  
19 *profit organizations: Provided further, That not more than*  
20 *\$5,000,000 of the funds made available under this heading*  
21 *shall be made available to America's Promise—The Alli-*  
22 *ance for Youth, Inc.: Provided further, That not more than*  
23 *\$5,000,000 shall be available for audits and other evalua-*  
24 *tions authorized under section 179 of the Act (42 U.S.C.*  
25 *12639).*





1 *sistance as described, and in accordance with the process*  
 2 *and reporting procedures set forth, under this heading in*  
 3 *Public Law 102-229.*

4 *DEPARTMENT OF DEFENSE—CIVIL*

5 *CEMETERIAL EXPENSES, ARMY*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses, as authorized by law, for*  
 8 *maintenance, operation, and improvement of Arlington Na-*  
 9 *tional Cemetery and Soldiers' and Airmen's Home Na-*  
 10 *tional Cemetery, including the purchase of two passenger*  
 11 *motor vehicles for replacement only, and not to exceed*  
 12 *\$1,000 for official reception and representation expenses,*  
 13 *\$24,445,000, to remain available until expended.*

14 *DEPARTMENT OF HEALTH AND HUMAN SERVICES*

15 *NATIONAL INSTITUTES OF HEALTH*

16 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

17 *SCIENCES*

18 *For necessary expenses for the National Institute of*  
 19 *Environmental Health Sciences in carrying out activities*  
 20 *set forth in section 311(a) of the Comprehensive Environ-*  
 21 *mental Response, Compensation, and Liability Act of 1980,*  
 22 *as amended, and section 126(g) of the Superfund Amend-*  
 23 *ments and Reauthorization Act of 1986, \$76,074,000.*

1 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*

2 *TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH*

3 *For necessary expenses for the Agency for Toxic Sub-*  
4 *stances and Disease Registry (ATSDR) in carrying out ac-*  
5 *tivities set forth in sections 104(i), 111(c)(4), and*  
6 *111(c)(14) of the Comprehensive Environmental Response,*  
7 *Compensation, and Liability Act of 1980 (CERCLA), as*  
8 *amended; section 118(f) of the Superfund Amendments and*  
9 *Reauthorization Act of 1986 (SARA), as amended; and sec-*  
10 *tion 3019 of the Solid Waste Disposal Act, as amended,*  
11 *\$81,000,000, to be derived from the Hazardous Substance*  
12 *Superfund Trust Fund pursuant to section 517(a) of SARA*  
13 *(26 U.S.C. 9507): Provided, That notwithstanding any*  
14 *other provision of law, in lieu of performing a health assess-*  
15 *ment under section 104(i)(6) of CERCLA, the Adminis-*  
16 *trator of ATSDR may conduct other appropriate health*  
17 *studies, evaluations, or activities, including, without limi-*  
18 *tation, biomedical testing, clinical evaluations, medical*  
19 *monitoring, and referral to accredited health care providers:*  
20 *Provided further, That in performing any such health as-*  
21 *essment or health study, evaluation, or activity, the Ad-*  
22 *ministrator of ATSDR shall not be bound by the deadlines*  
23 *in section 104(i)(6)(A) of CERCLA: Provided further, That*  
24 *none of the funds appropriated under this heading shall be*  
25 *available for ATSDR to issue in excess of 40 toxicological*

1 *profiles pursuant to section 104(i) of CERCLA during fis-*  
2 *cal year 2003, and existing profiles may be updated as nec-*  
3 *essary.*

4 *ENVIRONMENTAL PROTECTION AGENCY*

5 *SCIENCE AND TECHNOLOGY*

6 *For science and technology, including research and de-*  
7 *velopment activities, which shall include research and devel-*  
8 *opment activities under the Comprehensive Environmental*  
9 *Response, Compensation, and Liability Act of 1980, as*  
10 *amended; necessary expenses for personnel and related costs*  
11 *and travel expenses, including uniforms, or allowances*  
12 *therefor, as authorized by 5 U.S.C. 5901–5902; services as*  
13 *authorized by 5 U.S.C. 3109, but at rates for individuals*  
14 *not to exceed the per diem rate equivalent to the maximum*  
15 *rate payable for senior level positions under 5 U.S.C. 5376;*  
16 *procurement of laboratory equipment and supplies; other*  
17 *operating expenses in support of research and development;*  
18 *construction, alteration, repair, rehabilitation, and renova-*  
19 *tion of facilities, not to exceed \$75,000 per project,*  
20 *\$707,203,000, which shall remain available until September*  
21 *30, 2004.*

22 *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*

23 *For environmental programs and management, in-*  
24 *cluding necessary expenses, not otherwise provided for, for*  
25 *personnel and related costs and travel expenses, including*  
26 *uniforms, or allowances therefor, as authorized by 5 U.S.C.*

1 5901–5902; services as authorized by 5 U.S.C. 3109, but  
2 at rates for individuals not to exceed the per diem rate  
3 equivalent to the maximum rate payable for senior level po-  
4 sitions under 5 U.S.C. 5376; hire of passenger motor vehi-  
5 cles; hire, maintenance, and operation of aircraft; purchase  
6 of reprints; library memberships in societies or associations  
7 which issue publications to members only or at a price to  
8 members lower than to subscribers who are not members;  
9 construction, alteration, repair, rehabilitation, and renova-  
10 tion of facilities, not to exceed \$75,000 per project; and not  
11 to exceed \$19,000 for official reception and representation  
12 expenses, \$2,136,569,000, which shall remain available  
13 until September 30, 2004, including administrative costs  
14 of the brownfields program under the Small Business Li-  
15 ability Relief and Brownfields Revitalization Act of 2002.

16 *OFFICE OF INSPECTOR GENERAL*

17 *For necessary expenses of the Office of Inspector Gen-*  
18 *eral in carrying out the provisions of the Inspector General*  
19 *Act of 1978, as amended, and for construction, alteration,*  
20 *repair, rehabilitation, and renovation of facilities, not to*  
21 *exceed \$75,000 per project, \$37,325,000, to remain available*  
22 *until September 30, 2004.*

23 *BUILDINGS AND FACILITIES*

24 *For construction, repair, improvement, extension, al-*  
25 *teration, and purchase of fixed equipment or facilities of,*

1 *or for use by, the Environmental Protection Agency,*  
2 *\$42,918,000, to remain available until expended.*

3 *HAZARDOUS SUBSTANCE SUPERFUND*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For necessary expenses to carry out the Comprehensive*  
6 *Environmental Response, Compensation, and Liability Act*  
7 *of 1980 (CERCLA), as amended, including sections*  
8 *111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and*  
9 *for construction, alteration, repair, rehabilitation, and ren-*  
10 *ovation of facilities, not to exceed \$75,000 per project;*  
11 *\$1,272,888,000, to remain available until expended, con-*  
12 *sisting of \$636,444,000, as authorized by section 517(a) of*  
13 *the Superfund Amendments and Reauthorization Act of*  
14 *1986 (SARA), as amended by Public Law 101-508, and*  
15 *\$636,444,000 as a payment from general revenues to the*  
16 *Hazardous Substance Superfund for purposes as authorized*  
17 *by section 517(b) of SARA, as amended: Provided, That*  
18 *funds appropriated under this heading may be allocated to*  
19 *other Federal agencies in accordance with section 111(a)*  
20 *of CERCLA: Provided further, That of the funds appro-*  
21 *riated under this heading, \$12,742,000 shall be transferred*  
22 *to the “Office of Inspector General” appropriation to re-*  
23 *main available until September 30, 2004, and \$86,168,000*  
24 *shall be transferred to the “Science and technology” appro-*  
25 *priation to remain available until September 30, 2004.*

1     *LEAKING UNDERGROUND STORAGE TANK TRUST FUND*

2         *For necessary expenses to carry out leaking under-*  
3 *ground storage tank cleanup activities authorized by section*  
4 *205 of the Superfund Amendments and Reauthorization Act*  
5 *of 1986, and for construction, alteration, repair, rehabilita-*  
6 *tion, and renovation of facilities, not to exceed \$75,000 per*  
7 *project, \$72,313,000, to remain available until expended.*

8                     *OIL SPILL RESPONSE*

9         *For expenses necessary to carry out the Environmental*  
10 *Protection Agency's responsibilities under the Oil Pollution*  
11 *Act of 1990, \$15,581,000, to be derived from the Oil Spill*  
12 *Liability trust fund, to remain available until expended.*

13                     *STATE AND TRIBAL ASSISTANCE GRANTS*

14         *For environmental programs and infrastructure as-*  
15 *sistance, including capitalization grants for State revolving*  
16 *funds and performance partnership grants, \$3,920,639,000,*  
17 *to remain available until expended, of which*  
18 *\$1,425,000,000 shall be for making capitalization grants for*  
19 *the Clean Water State Revolving Funds under title VI of*  
20 *the Federal Water Pollution Control Act, as amended (the*  
21 *"Act"); \$875,000,000 shall be for capitalization grants for*  
22 *the Drinking Water State Revolving Funds under section*  
23 *1452 of the Safe Drinking Water Act, as amended, except*  
24 *that, notwithstanding section 1452(n) of the Safe Drinking*  
25 *Water Act, as amended, none of the funds made available*  
26 *under this heading in this Act, or in previous appropria-*

1 *tions Acts, shall be reserved by the Administrator for health*  
2 *effects studies on drinking water contaminants; \$75,000,000*  
3 *shall be for architectural, engineering, planning, design,*  
4 *construction and related activities in connection with the*  
5 *construction of high priority water and wastewater facili-*  
6 *ties in the area of the United States-Mexico Border, after*  
7 *consultation with the appropriate border commission;*  
8 *\$45,000,000 shall be for grants to the State of Alaska to*  
9 *address drinking water and wastewater infrastructure*  
10 *needs of rural and Alaska Native Villages; \$3,000,000 shall*  
11 *be for remediation of above ground leaking fuel tanks pursu-*  
12 *ant to Public Law 106-554; \$126,000,000, in addition to*  
13 *\$2,241,450 previously appropriated under this heading in*  
14 *Public Law 106-74, shall be for making grants for the con-*  
15 *struction of wastewater and water treatment facilities and*  
16 *groundwater protection infrastructure in accordance with*  
17 *the terms and conditions specified for such grants in the*  
18 *statement of the Committee on Appropriations submitted*  
19 *for the record accompanying this Act; \$120,500,000 shall*  
20 *be to carry out section 104(k) of the Comprehensive Envi-*  
21 *ronmental Response, Compensation, and Liability Act of*  
22 *1980 (CERCLA), as amended, including grants, inter-*  
23 *agency agreements, and associated program support costs;*  
24 *and \$1,123,835,000 shall be for grants, including associated*  
25 *program support costs, to States, federally recognized tribes,*

1 *interstate agencies, tribal consortia, and air pollution con-*  
2 *trol agencies for multi-media or single media pollution pre-*  
3 *vention, control and abatement and related activities, in-*  
4 *cluding activities pursuant to the provisions set forth under*  
5 *this heading in Public Law 104–134, and for making*  
6 *grants under section 103 of the Clean Air Act for particu-*  
7 *late matter monitoring and data collection activities subject*  
8 *to terms and conditions specified by the Administrator, of*  
9 *which \$50,000,000 shall be for carrying out section 128 of*  
10 *CERCLA, as amended: Provided, That for fiscal year 2003,*  
11 *State authority under section 302(a) of Public Law 104–*  
12 *182 shall remain in effect: Provided further, That for fiscal*  
13 *year 2003, and notwithstanding section 518(f) of the Act,*  
14 *the Administrator is authorized to use the amounts appro-*  
15 *priated for any fiscal year under section 319 of that Act*  
16 *to make grants to Indian tribes pursuant to sections 319(h)*  
17 *and 518(e) of that Act: Provided further, That for fiscal*  
18 *year 2003, notwithstanding the limitation on amounts in*  
19 *section 518(c) of the Act, up to a total of 1½ percent of*  
20 *the funds appropriated for State Revolving Funds under*  
21 *title VI of that Act may be reserved by the Administrator*  
22 *for grants under section 518(c) of such Act: Provided fur-*  
23 *ther, That no funds provided by this legislation to address*  
24 *the water, wastewater and other critical infrastructure*  
25 *needs of the colonias in the United States along the United*



1 *States-Mexico border shall be made available to a county*  
2 *or municipal government unless that government has estab-*  
3 *lished an enforceable local ordinance, or other zoning rule,*  
4 *which prevents in that jurisdiction the development or con-*  
5 *struction of any additional colonia areas, or the develop-*  
6 *ment within an existing colonia the construction of any*  
7 *new home, business, or other structure which lacks water,*  
8 *wastewater, or other necessary infrastructure.*

9 *The referenced statement of the managers under this*  
10 *heading in Public Law 106–74 is deemed to be amended*  
11 *by striking everything after “137.” in reference to item*  
12 *number 137 and inserting, “\$2,739,550 for the City of*  
13 *Welch, West Virginia, for water and sewer extensions to the*  
14 *Indian Ridge Industrial Park”.*

15 *ADMINISTRATIVE PROVISIONS*

16 *For fiscal year 2003, notwithstanding 31 U.S.C.*  
17 *6303(1) and 6305(1), the Administrator of the Environ-*  
18 *mental Protection Agency, in carrying out the Agency’s*  
19 *function to implement directly Federal environmental pro-*  
20 *grams required or authorized by law in the absence of an*  
21 *acceptable tribal program, may award cooperative agree-*  
22 *ments to federally-recognized Indian Tribes or Intertribal*  
23 *consortia, if authorized by their member Tribes, to assist*  
24 *the Administrator in implementing Federal environmental*  
25 *programs for Indian Tribes required or authorized by law,*  
26 *except that no such cooperative agreements may be awarded*

1 *from funds designated for State financial assistance agree-*  
2 *ments.*

3 *None of the funds appropriated or otherwise made*  
4 *available by this Act may be used to promulgate a final*  
5 *regulation to implement changes in the payment of pes-*  
6 *ticide tolerance processing fees as published on June 9,*  
7 *1999, in the Federal Register (64 Fed. Reg. pages 31040*  
8 *through 31050). The Environmental Protection Agency*  
9 *shall promulgate a final regulation to implement changes*  
10 *in the payment of pesticide tolerance processing fees no later*  
11 *than September 30, 2003. Any final regulation promulgated*  
12 *to implement changes in the payment of pesticide tolerance*  
13 *processing fees shall not require the payment of retroactive*  
14 *fees.*

15 *The Environmental Protection Agency may not use*  
16 *any of the funds appropriated or otherwise made available*  
17 *by this Act to implement the Registration Fee system codi-*  
18 *fied at 40 Code of Federal Regulations Subpart U (sections*  
19 *152.400 et seq.) if its authority to collect maintenance fees*  
20 *pursuant to FIFRA section 4(i)(5) is extended for at least*  
21 *1 year beyond September 30, 2002.*

22 *Section 136a-1 of title 7, U.S.C. is amended—*

23 *(1) in subsection (i)(5)(C)(i) by striking*  
24 *“\$17,000,000 fiscal year 2002” and inserting*  
25 *“\$23,200,000 for fiscal year 2003”;*

1           (2) in subsection (i)(5)(H) by striking “2002”  
2           and inserting “2003”;

3           (3) in subsection (i)(6) by striking “2002” and  
4           inserting “2003”; and

5           (4) in subsection (k)(3)(A) by striking “2002”  
6           and inserting “2003”.

7           *EXECUTIVE OFFICE OF THE PRESIDENT*

8           *OFFICE OF SCIENCE AND TECHNOLOGY POLICY*

9           *For necessary expenses of the Office of Science and*  
10          *Technology Policy, in carrying out the purposes of the Na-*  
11          *tional Science and Technology Policy, Organization, and*  
12          *Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of*  
13          *passenger motor vehicles, and services as authorized by 5*  
14          *U.S.C. 3109, not to exceed \$2,500 for official reception and*  
15          *representation expenses, and rental of conference rooms in*  
16          *the District of Columbia, \$5,368,000.*

17          *COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF*

18                           *ENVIRONMENTAL QUALITY*

19          *For necessary expenses to continue functions assigned*  
20          *to the Council on Environmental Quality and Office of En-*  
21          *vironmental Quality pursuant to the National Environ-*  
22          *mental Policy Act of 1969, the Environmental Quality Im-*  
23          *provement Act of 1970, and Reorganization Plan No. 1 of*  
24          *1977, and not to exceed \$750 for official reception and rep-*  
25          *resentation expenses, \$3,031,000: Provided, That, notwith-*  
26          *standing section 202 of the National Environmental Policy*

1 *Act of 1970, the Council shall consist of one member, ap-*  
2 *pointed by the President, by and with the advice and con-*  
3 *sent of the Senate, serving as chairman and exercising all*  
4 *powers, functions, and duties of the Council.*

5 *FEDERAL DEPOSIT INSURANCE CORPORATION*

6 *OFFICE OF INSPECTOR GENERAL*

7 *For necessary expenses of the Office of Inspector Gen-*  
8 *eral in carrying out the provisions of the Inspector General*  
9 *Act of 1978, as amended, \$30,848,000, to be derived from*  
10 *the Bank Insurance Fund, the Savings Association Insur-*  
11 *ance Fund, and the FSLIC Resolution Fund.*

12 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

13 *DISASTER RELIEF*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For necessary expenses in carrying out the Robert T.*  
16 *Stafford Disaster Relief and Emergency Assistance Act (42*  
17 *U.S.C. 5121 et seq.), \$842,843,000, and, notwithstanding*  
18 *42 U.S.C. 5203, to remain available until expended, of*  
19 *which not to exceed \$2,900,000 may be transferred to*  
20 *“Emergency management planning and assistance” for the*  
21 *consolidated emergency management performance grant*  
22 *program; and not to exceed \$21,577,000 may be transferred*  
23 *to the Office of Inspector General for audits and investiga-*  
24 *tions.*

1            *NATIONAL PRE-DISASTER MITIGATION FUND*

2            *For a pre-disaster mitigation grant program pursuant*  
3 *to 42 U.S.C. 5131 et seq., \$25,000,000, to remain available*  
4 *until expended: Provided, That grants shall be awarded on*  
5 *a competitive basis subject to the criteria in 42 U.S.C.*  
6 *5133(g): Provided further, That notwithstanding 42 U.S.C.*  
7 *5133(f), grant awards shall be made without reference to*  
8 *State allocations, quotas, or other formula-based allocations*  
9 *of funds.*

10          *DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT*

11          *For the cost of direct loans, \$557,000 as authorized by*  
12 *section 319 of the Robert T. Stafford Disaster Relief and*  
13 *Emergency Assistance Act: Provided, That such costs, in-*  
14 *cluding the cost of modifying such loans, shall be as defined*  
15 *in section 502 of the Congressional Budget Act of 1974, as*  
16 *amended: Provided further, That these funds are available*  
17 *to subsidize gross obligations for the principal amount of*  
18 *direct loans not to exceed \$25,000,000.*

19          *In addition, for administrative expenses to carry out*  
20 *the direct loan program, \$557,000.*

21                            *SALARIES AND EXPENSES*

22          *For necessary expenses, not otherwise provided for, in-*  
23 *cluding hire and purchase of motor vehicles as authorized*  
24 *by 31 U.S.C. 1343; uniforms, or allowances therefor, as au-*  
25 *thorized by 5 U.S.C. 5901–5902; services as authorized by*  
26 *5 U.S.C. 3109, but at rates for individuals not to exceed*

1 *the per diem rate equivalent to the maximum rate payable*  
2 *for senior level positions under 5 U.S.C. 5376; expenses of*  
3 *attendance of cooperating officials and individuals at meet-*  
4 *ings concerned with the work of emergency preparedness;*  
5 *transportation in connection with the continuity of Govern-*  
6 *ment programs to the same extent and in the same manner*  
7 *as permitted the Secretary of a Military Department under*  
8 *10 U.S.C. 2632; and not to exceed \$2,500 for official recep-*  
9 *tion and representation expenses, \$239,690,000.*

10 *OFFICE OF INSPECTOR GENERAL*

11 *For necessary expenses of the Office of Inspector Gen-*  
12 *eral in carrying out the Inspector General Act of 1978, as*  
13 *amended, \$17,754,000: Provided, That notwithstanding*  
14 *any other provision of law, the Inspector General of the*  
15 *Federal Emergency Management Agency shall hereafter also*  
16 *serve as the Inspector General of the Chemical Safety and*  
17 *Hazard Investigation Board.*

18 *EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses, not otherwise provided for, to*  
21 *carry out activities under the National Flood Insurance Act*  
22 *of 1968, as amended, and the Flood Disaster Protection Act*  
23 *of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert*  
24 *T. Stafford Disaster Relief and Emergency Assistance Act*  
25 *(42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduc-*  
26 *tion Act of 1977, as amended (42 U.S.C. 7701 et seq.), the*

1 *Federal Fire Prevention and Control Act of 1974, as*  
2 *amended (15 U.S.C. 2201 et seq.), the Defense Production*  
3 *Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sec-*  
4 *tions 107 and 303 of the National Security Act of 1947,*  
5 *as amended (50 U.S.C. 404–405), and Reorganization Plan*  
6 *No. 3 of 1978, \$1,615,214,000: Provided, That \$900,000,000*  
7 *shall be for programs as authorized be section 33 of the Fed-*  
8 *eral Fire Prevention and Control Act of 1974, as amended*  
9 *(15 U.S.C. 2201 et seq.): Provided further, That up to 5*  
10 *percent of this amount shall be transferred to “Salaries and*  
11 *expenses” for program administration: Provided further,*  
12 *That of the amount provided under this heading:*  
13 *\$114,000,000 shall be for grants for interoperable commu-*  
14 *nications equipment; \$114,000,000 shall be for grants for*  
15 *emergency operations centers; \$75,000,000 shall be for*  
16 *Urban Search and Rescue Teams; \$75,000,000 shall be for*  
17 *grants for state and local emergency planning; \$15,000,000*  
18 *shall be for Community Emergency Response Teams;*  
19 *\$60,000,000 shall be for emergency responder training pro-*  
20 *grams; \$15,000,000 shall be for mutual aid agreements; and*  
21 *\$1,100,000 for security clearances for State and local emer-*  
22 *gency management personnel.*

23 *RADIOLOGICAL EMERGENCY PREPAREDNESS FUND*

24 *The aggregate charges assessed during fiscal year 2003,*  
25 *as authorized by Public Law 106–377, shall not be less than*  
26 *100 percent of the amounts anticipated by FEMA necessary*

1 *for its radiological emergency preparedness program for the*  
 2 *next fiscal year. The methodology for assessment and collec-*  
 3 *tion of fees shall be fair and equitable; and shall reflect costs*  
 4 *of providing such services, including administrative costs*  
 5 *of collecting such fees. Fees received pursuant to this section*  
 6 *shall be deposited in the Fund as offsetting collections and*  
 7 *will become available for authorized purposes on October*  
 8 *1, 2003, and remain available until expended.*

9 *CERRO GRANDE FIRE CLAIMS*

10 *For an additional amount for “Cerro Grande Fire*  
 11 *Claims”, up to \$100,000,000 shall be made available for*  
 12 *claims resulting from the Cerro Grande fires: Provided,*  
 13 *That up to \$5,000,000 may be made available for adminis-*  
 14 *trative purposes.*

15 *EMERGENCY FOOD AND SHELTER PROGRAM*

16 *To carry out an emergency food and shelter program*  
 17 *pursuant to title III of Public Law 100–77, as amended,*  
 18 *\$153,000,000, to remain available until expended: Pro-*  
 19 *vided, That total administrative costs shall not exceed 3½*  
 20 *percent of the total appropriation.*

21 *FLOOD MAP MODERNIZATION FUND*

22 *For necessary expenses pursuant to section 1360 of the*  
 23 *National Flood Insurance Act of 1968, \$100,000,000, and*  
 24 *such additional sums as may be provided by State and local*  
 25 *governments or other political subdivisions for cost-shared*



1 *mapping activities under section 1360(f)(2), to remain*  
2 *available until expended.*

3 *NATIONAL FLOOD INSURANCE FUND*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For activities under the National Flood Insurance Act*  
6 *of 1968 (“Act”) and the Flood Disaster Protection Act of*  
7 *1973, as amended, not to exceed \$32,393,000 for salaries*  
8 *and expenses associated with flood mitigation and flood in-*  
9 *surance operations, and not to exceed \$77,666,000 for flood*  
10 *mitigation, to remain available until September 30, 2004,*  
11 *including up to \$20,000,000 for expenses under section 1366*  
12 *of the Act, which amount shall be available for transfer to*  
13 *the National Flood Mitigation Fund until September 30,*  
14 *2004, and which amounts shall be derived from offsetting*  
15 *collections assessed and collected pursuant to 42 U.S.C.*  
16 *4014, and shall be retained and used for necessary expenses*  
17 *under this heading: Provided, That beginning in fiscal year*  
18 *2003 and thereafter, fees authorized in 42 U.S.C.*  
19 *4014(a)(1)(B)(iii) shall be collected only if provided in ad-*  
20 *vance in appropriations acts. In fiscal year 2003, no funds*  
21 *in excess of: (1) \$55,000,000 for operating expenses; (2)*  
22 *\$529,380,000 for agents’ commissions and taxes; and (3)*  
23 *\$40,000,000 for interest on Treasury borrowings shall be*  
24 *available from the National Flood Insurance Fund without*  
25 *prior notice to the Committees on Appropriations.*

1        *Section 1309(a)(2) of the Act (42 U.S.C. 4016(a)(2)),*  
2 *as amended, is further amended by striking “2002” and*  
3 *inserting “2007”.*

4        *Section 1319 of the Act, as amended (42 U.S.C. 4026),*  
5 *is amended by striking “December 31, 2002” and inserting*  
6 *“December 31, 2007”.*

7        *Section 1336(a) of the Act, as amended (42 U.S.C.*  
8 *4056), is amended by striking “December 31, 2002” and*  
9 *inserting “December 31, 2007”.*

10       *Section 1376(c) of the Act, as amended (42 U.S.C.*  
11 *4127(c)), is amended by striking “December 31, 2002” and*  
12 *inserting “December 31, 2007”.*

13       *The above 4 amendments will be deemed effective on*  
14 *January 1, 2003.*

15                    *NATIONAL FLOOD MITIGATION FUND*

16                    *(INCLUDING TRANSFER OF FUNDS)*

17       *Notwithstanding sections 1366(b)(3)(B)–(C) and*  
18 *1366(f) of the National Flood Insurance Act of 1968, as*  
19 *amended, \$20,000,000, to remain available until September*  
20 *30, 2004, for activities designed to reduce the risk of flood*  
21 *damage to structures pursuant to such Act, of which*  
22 *\$20,000,000 shall be derived from the National Flood Insur-*  
23 *ance Fund.*

1                    *GENERAL SERVICES ADMINISTRATION*2                    *FEDERAL CONSUMER INFORMATION CENTER FUND*

3                    *For necessary expenses of the Federal Consumer Infor-*  
4 *mation Center, including services authorized by 5 U.S.C.*  
5 *3109, \$12,541,000, to be deposited into the Federal Con-*  
6 *sumer Information Center Fund: Provided, That the appro-*  
7 *priations, revenues, and collections deposited into the Fund*  
8 *shall be available for necessary expenses of Federal Con-*  
9 *sumer Information Center activities in the aggregate*  
10 *amount of \$18,000,000. Appropriations, revenues, and col-*  
11 *lections accruing to this Fund during fiscal year 2003 in*  
12 *excess of \$18,000,000 shall remain in the Fund and shall*  
13 *not be available for expenditure except as authorized in ap-*  
14 *propriations Acts.*

15                    *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*16                    *HUMAN SPACE FLIGHT*17                    *(INCLUDING TRANSFER OF FUNDS)*

18                    *For necessary expenses, not otherwise provided for, in*  
19 *the conduct and support of human space flight research and*  
20 *development activities, including research, development, op-*  
21 *erations, support and services; maintenance; construction*  
22 *of facilities including repair, rehabilitation, revitalization*  
23 *and modification of facilities, construction of new facilities*  
24 *and additions to existing facilities, facility planning and*  
25 *design, environmental compliance and restoration, and ac-*  
26 *quisition or condemnation of real property, as authorized*

1 *by law; space flight, spacecraft control and communications*  
2 *activities including operations, production, and services;*  
3 *program management; personnel and related costs, includ-*  
4 *ing uniforms or allowances therefor, as authorized by 5*  
5 *U.S.C. 5901–5902; travel expenses; purchase and hire of*  
6 *passenger motor vehicles; not to exceed \$35,000 for official*  
7 *reception and representation expenses; and purchase, lease,*  
8 *charter, maintenance and operation of mission and admin-*  
9 *istrative aircraft, \$6,095,900,000, to remain available until*  
10 *September 30, 2004, of which amounts as determined by*  
11 *the Administrator for salaries and benefits; training, travel*  
12 *and awards; facility and related costs; information tech-*  
13 *nology services; science, engineering, fabricating and testing*  
14 *services; and other administrative services may be trans-*  
15 *ferred to “Science, aeronautics and technology” in accord-*  
16 *ance with section 312(b) of the National Aeronautics and*  
17 *Space Act of 1958, as amended by Public Law 106–377.*

18 *SCIENCE, AERONAUTICS AND TECHNOLOGY*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses, not otherwise provided for, in*  
21 *the conduct and support of science, aeronautics and tech-*  
22 *nology research and development activities, including re-*  
23 *search, development, operations, support and services;*  
24 *maintenance; construction of facilities including repair, re-*  
25 *habilitation, revitalization, and modification of facilities,*  
26 *construction of new facilities and additions to existing fa-*

1 *cilities, facility planning and design, environmental com-*  
2 *pliance and restoration, and acquisition or condemnation*  
3 *of real property, as authorized by law; space flight, space-*  
4 *craft control and communications activities including oper-*  
5 *ations, production, and services; program management;*  
6 *personnel and related costs, including uniforms or allow-*  
7 *ances therefor, as authorized by 5 U.S.C. 5901–5902; travel*  
8 *expenses; purchase and hire of passenger motor vehicles; not*  
9 *to exceed \$35,000 for official reception and representation*  
10 *expenses; and purchase, lease, charter, maintenance and op-*  
11 *eration of mission and administrative aircraft,*  
12 *\$9,003,000,000, to remain available until September 30,*  
13 *2004, of which amounts as determined by the Administrator*  
14 *for salaries and benefits; training, travel and awards; facil-*  
15 *ity and related costs; information technology services;*  
16 *science, engineering, fabricating and testing services; and*  
17 *other administrative services may be transferred to*  
18 *“Human space flight” in accordance with section 312(b)*  
19 *of the National Aeronautics and Space Act of 1958, as*  
20 *amended by Public Law 106–377.*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For necessary expenses of the Office of Inspector Gen-*  
23 *eral in carrying out the Inspector General Act of 1978, as*  
24 *amended, \$26,600,000.*



1 *thorized shall remain available, without fiscal year limita-*  
2 *tion, until the prize is claimed or the offer is withdrawn.*

3 *None of the funds provided in fiscal year 2003 under*  
4 *the heading “Science, Aeronautics and Technology” may be*  
5 *used to purchase items proposed for acquisition in RFP5-*  
6 *55151-GCE.*

7 *NATIONAL CREDIT UNION ADMINISTRATION*

8 *CENTRAL LIQUIDITY FACILITY*

9 *During fiscal year 2003, gross obligations of the Cen-*  
10 *tral Liquidity Facility for the principal amount of new di-*  
11 *rect loans to member credit unions, as authorized by 12*  
12 *U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: Pro-*  
13 *vided, That administrative expenses of the Central Liquid-*  
14 *ity Facility in fiscal year 2003 shall not exceed \$309,000.*

15 *COMMUNITY DEVELOPMENT REVOLVING LOAN FUND*

16 *For the Community Development Revolving Loan*  
17 *Fund program as authorized by 42 U.S.C. 9812, 9822 and*  
18 *9910, \$1,000,000 shall be available: Provided, That*  
19 *\$700,000, together with amounts of principal and interest*  
20 *on loans repaid, is available until expended for loans to*  
21 *community development credit unions and \$300,000 is*  
22 *available until September 30, 2004 for technical assistance*  
23 *to low-income and community development credit unions.*

1                    *NATIONAL SCIENCE FOUNDATION*2                    *RESEARCH AND RELATED ACTIVITIES*

3            *For necessary expenses in carrying out the National*  
4 *Science Foundation Act of 1950, as amended (42 U.S.C.*  
5 *1861–1875), and the Act to establish a National Medal of*  
6 *Science (42 U.S.C. 1880–1881); services as authorized by*  
7 *5 U.S.C. 3109; maintenance and operation of aircraft and*  
8 *purchase of flight services for research support; acquisition*  
9 *of aircraft; and authorized travel; \$4,081,650,000, of which*  
10 *not to exceed \$320,000,000 shall remain available until ex-*  
11 *pended for Polar research and operations support, and for*  
12 *reimbursement to other Federal agencies for operational*  
13 *and science support and logistical and other related activi-*  
14 *ties for the United States Antarctic program; the balance*  
15 *to remain available until September 30, 2004: Provided,*  
16 *That receipts for scientific support services and materials*  
17 *furnished by the National Research Centers and other Na-*  
18 *tional Science Foundation supported research facilities*  
19 *may be credited to this appropriation: Provided further,*  
20 *That to the extent that the amount appropriated is less than*  
21 *the total amount authorized to be appropriated for included*  
22 *program activities, all amounts, including floors and ceil-*  
23 *ings, specified in the authorizing Act for those program ac-*  
24 *tivities or their subactivities shall be reduced proportion-*  
25 *ally: Provided further, That \$85,000,000 of the funds avail-*



1 *able under this heading shall be made available for a com-*  
2 *prehensive research initiative on plant genomes for eco-*  
3 *nomically significant crops.*

4 *MAJOR RESEARCH EQUIPMENT AND FACILITIES*

5 *CONSTRUCTION*

6 *For necessary expenses for the acquisition, construc-*  
7 *tion, commissioning, and upgrading of major research*  
8 *equipment, facilities, and other such capital assets pursuant*  
9 *to the National Science Foundation Act of 1950, as amend-*  
10 *ed, including authorized travel, \$59,280,000, to remain*  
11 *available until expended.*

12 *EDUCATION AND HUMAN RESOURCES*

13 *For necessary expenses in carrying out science and en-*  
14 *gineering education and human resources programs and ac-*  
15 *tivities pursuant to the National Science Foundation Act*  
16 *of 1950, as amended (42 U.S.C. 1861–1875), including*  
17 *services as authorized by 5 U.S.C. 3109, authorized travel,*  
18 *and rental of conference rooms in the District of Columbia,*  
19 *\$932,730,000, to remain available until September 30,*  
20 *2004: Provided, That to the extent that the amount of this*  
21 *appropriation is less than the total amount authorized to*  
22 *be appropriated for included program activities, all*  
23 *amounts, including floors and ceilings, specified in the au-*  
24 *thorizing Act for those program activities or their subactivi-*  
25 *ties shall be reduced proportionally.*

## SALARIES AND EXPENSES

1  
2       *For salaries and expenses necessary in carrying out*  
3 *the National Science Foundation Act of 1950, as amended*  
4 *(42 U.S.C. 1861–1875); services authorized by 5 U.S.C.*  
5 *3109; hire of passenger motor vehicles; not to exceed \$9,000*  
6 *for official reception and representation expenses; uniforms*  
7 *or allowances therefor, as authorized by 5 U.S.C. 5901–*  
8 *5902; rental of conference rooms in the District of Colum-*  
9 *bia; and reimbursement of the General Services Adminis-*  
10 *tration for security guard services; \$182,160,000: Provided,*  
11 *That contracts may be entered into under “Salaries and*  
12 *expenses” in fiscal year 2003 for maintenance and oper-*  
13 *ation of facilities, and for other services, to be provided dur-*  
14 *ing the next fiscal year.*

## OFFICE OF THE NATIONAL SCIENCE BOARD

15  
16       *For necessary expenses (including payment of salaries,*  
17 *authorized travel, hire of passenger motor vehicles, the rent-*  
18 *al of conference rooms in the District of Columbia, and the*  
19 *employment of experts and consultants under section 3109*  
20 *of title 5, United States Code) involved in carrying out sec-*  
21 *tion 4 of the National Science Foundation Act of 1950 (42*  
22 *U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et*  
23 *seq.), \$3,500,000: Provided, That not more than \$9,000*  
24 *shall be available for official reception and representation*  
25 *expenses.*

1                    *OFFICE OF INSPECTOR GENERAL*

2            *For necessary expenses of the Office of Inspector Gen-*  
3 *eral as authorized by the Inspector General Act of 1978,*  
4 *as amended, \$9,660,000, to remain available until Sep-*  
5 *tember 30, 2004.*

6                    *NEIGHBORHOOD REINVESTMENT CORPORATION*7                    *PAYMENT TO THE NEIGHBORHOOD REINVESTMENT*8                    *CORPORATION*

9            *For payment to the Neighborhood Reinvestment Cor-*  
10 *poration for use in neighborhood reinvestment activities, as*  
11 *authorized by the Neighborhood Reinvestment Corporation*  
12 *Act (42 U.S.C. 8101–8107), \$110,000,000, of which*  
13 *\$5,000,000 shall be for a homeownership program that is*  
14 *used in conjunction with section 8 assistance under the*  
15 *United States Housing Act of 1937, as amended; and of*  
16 *which \$5,000,000 shall be for a multi-family rental housing*  
17 *program.*

18                    *SELECTIVE SERVICE SYSTEM*19                    *SALARIES AND EXPENSES*

20            *For necessary expenses of the Selective Service System,*  
21 *including expenses of attendance at meetings and of train-*  
22 *ing for uniformed personnel assigned to the Selective Serv-*  
23 *ice System, as authorized by 5 U.S.C. 4101–4118 for civil-*  
24 *ian employees; purchase of uniforms, or allowances therefor,*  
25 *as authorized by 5 U.S.C. 5901–5902; hire of passenger*

1 *motor vehicles; services as authorized by 5 U.S.C. 3109; and*  
2 *not to exceed \$750 for official reception and representation*  
3 *expenses; \$26,480,000: Provided, That during the current*  
4 *fiscal year, the President may exempt this appropriation*  
5 *from the provisions of 31 U.S.C. 1341, whenever the Presi-*  
6 *dent deems such action to be necessary in the interest of*  
7 *national defense: Provided further, That none of the funds*  
8 *appropriated by this Act may be expended for or in connec-*  
9 *tion with the induction of any person into the Armed Forces*  
10 *of the United States.*

11 *TITLE IV—GENERAL PROVISIONS*

12 *SEC. 401. Where appropriations in titles I, II, and*  
13 *III of this Act are expendable for travel expenses and no*  
14 *specific limitation has been placed thereon, the expenditures*  
15 *for such travel expenses may not exceed the amounts set*  
16 *forth therefor in the budget estimates submitted for the ap-*  
17 *propriations: Provided, That this provision does not apply*  
18 *to accounts that do not contain an object classification for*  
19 *travel: Provided further, That this section shall not apply*  
20 *to travel performed by uncompensated officials of local*  
21 *boards and appeal boards of the Selective Service System;*  
22 *to travel performed directly in connection with care and*  
23 *treatment of medical beneficiaries of the Department of Vet-*  
24 *erans Affairs; to travel performed in connection with major*  
25 *disasters or emergencies declared or determined by the*

1 *President under the provisions of the Robert T. Stafford*  
2 *Disaster Relief and Emergency Assistance Act; to travel*  
3 *performed by the Offices of Inspector General in connection*  
4 *with audits and investigations; or to payments to inter-*  
5 *agency motor pools where separately set forth in the budget*  
6 *schedules: Provided further, That if appropriations in titles*  
7 *I, II, and III exceed the amounts set forth in budget esti-*  
8 *mates initially submitted for such appropriations, the ex-*  
9 *penditures for travel may correspondingly exceed the*  
10 *amounts therefor set forth in the estimates only to the extent*  
11 *such an increase is approved by the Committees on Appro-*  
12 *priations.*

13       *SEC. 402. No part of any appropriation contained in*  
14 *this Act shall remain available for obligation beyond the*  
15 *current fiscal year unless expressly so provided herein.*

16       *SEC. 403. No funds appropriated by this Act may be*  
17 *expended—*

18             *(1) pursuant to a certification of an officer or*  
19 *employee of the United States unless—*

20                     *(A) such certification is accompanied by, or*  
21 *is part of, a voucher or abstract which describes*  
22 *the payee or payees and the items or services for*  
23 *which such expenditure is being made; or*

1           (B) the expenditure of funds pursuant to  
2           such certification, and without such a voucher or  
3           abstract, is specifically authorized by law; and  
4           (2) unless such expenditure is subject to audit by  
5           the General Accounting Office or is specifically ex-  
6           empt by law from such audit.

7           SEC. 404. None of the funds provided in this Act to  
8           any department or agency may be obligated or expended  
9           for: (1) the transportation of any officer or employee of such  
10          department or agency between the domicile and the place  
11          of employment of the officer or employee, with the exception  
12          of an officer or employee authorized such transportation  
13          under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2) to provide  
14          a cook, chauffeur, or other personal servants to any officer  
15          or employee of such department or agency.

16          SEC. 405. None of the funds provided in this Act may  
17          be used for payment, through grants or contracts, to recipi-  
18          ents that do not share in the cost of conducting research  
19          resulting from proposals not specifically solicited by the  
20          Government: Provided, That the extent of cost sharing by  
21          the recipient shall reflect the mutuality of interest of the  
22          grantee or contractor and the Government in the research.

23          SEC. 406. None of the funds provided in this Act may  
24          be used, directly or through grants, to pay or to provide  
25          reimbursement for payment of the salary of a consultant

1 *(whether retained by the Federal Government or a grantee)*  
2 *at more than the daily equivalent of the rate paid for level*  
3 *IV of the Executive Schedule, unless specifically authorized*  
4 *by law.*

5       *SEC. 407. None of the funds provided in this Act may*  
6 *be used to pay the expenses of, or otherwise compensate,*  
7 *non-Federal parties intervening in regulatory or adjudica-*  
8 *tory proceedings. Nothing herein affects the authority of the*  
9 *Consumer Product Safety Commission pursuant to section*  
10 *7 of the Consumer Product Safety Act (15 U.S.C. 2056 et*  
11 *seq.).*

12       *SEC. 408. Except as otherwise provided under existing*  
13 *law, or under an existing Executive Order issued pursuant*  
14 *to an existing law, the obligation or expenditure of any ap-*  
15 *propriation under this Act for contracts for any consulting*  
16 *service shall be limited to contracts which are: (1) a matter*  
17 *of public record and available for public inspection; and*  
18 *(2) thereafter included in a publicly available list of all con-*  
19 *tracts entered into within 24 months prior to the date on*  
20 *which the list is made available to the public and of all*  
21 *contracts on which performance has not been completed by*  
22 *such date. The list required by the preceding sentence shall*  
23 *be updated quarterly and shall include a narrative descrip-*  
24 *tion of the work to be performed under each such contract.*

1        *SEC. 409. Except as otherwise provided by law, no*  
2 *part of any appropriation contained in this Act shall be*  
3 *obligated or expended by any executive agency, as referred*  
4 *to in the Office of Federal Procurement Policy Act (41*  
5 *U.S.C. 401 et seq.), for a contract for services unless such*  
6 *executive agency: (1) has awarded and entered into such*  
7 *contract in full compliance with such Act and the regula-*  
8 *tions promulgated thereunder; and (2) requires any report*  
9 *prepared pursuant to such contract, including plans, eval-*  
10 *uations, studies, analyses and manuals, and any report*  
11 *prepared by the agency which is substantially derived from*  
12 *or substantially includes any report prepared pursuant to*  
13 *such contract, to contain information concerning: (A) the*  
14 *contract pursuant to which the report was prepared; and*  
15 *(B) the contractor who prepared the report pursuant to such*  
16 *contract.*

17        *SEC. 410. None of the funds appropriated in title I*  
18 *of this Act shall be used to enter into any new lease of real*  
19 *property if the estimated annual rental is more than*  
20 *\$300,000 unless the Secretary submits a report which the*  
21 *Committees on Appropriations of the Congress approve*  
22 *within 30 days following the date on which the report is*  
23 *received.*

24        *SEC. 411. (a) It is the sense of the Congress that, to*  
25 *the greatest extent practicable, all equipment and products*



1 *purchased with funds made available in this Act should be*  
2 *American-made.*

3 *(b) In providing financial assistance to, or entering*  
4 *into any contract with, any entity using funds made avail-*  
5 *able in this Act, the head of each Federal agency, to the*  
6 *greatest extent practicable, shall provide to such entity a*  
7 *notice describing the statement made in subsection (a) by*  
8 *the Congress.*

9 *SEC. 412. None of the funds appropriated in this Act*  
10 *may be used to implement any cap on reimbursements to*  
11 *grantees for indirect costs, except as published in Office of*  
12 *Management and Budget Circular A-21.*

13 *SEC. 413. Such sums as may be necessary for fiscal*  
14 *year 2003 pay raises for programs funded by this Act shall*  
15 *be absorbed within the levels appropriated in this Act.*

16 *SEC. 414. None of the funds made available in this*  
17 *Act may be used for any program, project, or activity, when*  
18 *it is made known to the Federal entity or official to which*  
19 *the funds are made available that the program, project, or*  
20 *activity is not in compliance with any Federal law relating*  
21 *to risk assessment, the protection of private property rights,*  
22 *or unfunded mandates.*

23 *SEC. 415. Except in the case of entities that are funded*  
24 *solely with Federal funds or any natural persons that are*  
25 *funded under this Act, none of the funds in this Act shall*

1 *be used for the planning or execution of any program to*  
2 *pay the expenses of, or otherwise compensate, non-Federal*  
3 *parties to lobby or litigate in respect to adjudicatory pro-*  
4 *ceedings funded in this Act. A chief executive officer of any*  
5 *entity receiving funds under this Act shall certify that none*  
6 *of these funds have been used to engage in the lobbying of*  
7 *the Federal Government or in litigation against the United*  
8 *States unless authorized under existing law.*

9       *SEC. 416. No part of any funds appropriated in this*  
10 *Act shall be used by an agency of the executive branch, other*  
11 *than for normal and recognized executive-legislative rela-*  
12 *tionships, for publicity or propaganda purposes, and for*  
13 *the preparation, distribution or use of any kit, pamphlet,*  
14 *booklet, publication, radio, television or film presentation*  
15 *designed to support or defeat legislation pending before the*  
16 *Congress, except in presentation to the Congress itself.*

17       *SEC. 417. All Departments and agencies funded under*  
18 *this Act are encouraged, within the limits of the existing*  
19 *statutory authorities and funding, to expand their use of*  
20 *“E-Commerce” technologies and procedures in the conduct*  
21 *of their business practices and public service activities.*

22       *SEC. 418. Appropriations and funds available for the*  
23 *administrative expenses of the Department of Housing and*  
24 *Urban Development and the Selective Service System shall*  
25 *be available in the current fiscal year for purchase of uni-*

1 *forms, or allowances therefor, as authorized by 5 U.S.C.*  
2 *5901–5902; hire of passenger motor vehicles; and services*  
3 *as authorized by 5 U.S.C. 3109.*

4 *SEC. 419. None of the funds provided in this Act to*  
5 *any department or agency shall be obligated or expended*  
6 *to procure passenger automobiles as defined in 15 U.S.C.*  
7 *2001 with an EPA estimated miles per gallon average of*  
8 *less than 22 miles per gallon.*

9 *SEC. 420. Notwithstanding 42 U.S.C. 5196c, amounts*  
10 *provided in Public Law 107–117 and subsequent appro-*  
11 *priations Acts for the construction of emergency operations*  
12 *centers (or similar facilities) shall only require a 25 percent*  
13 *match non-Federal share.*

14 *SEC. 421. Subsection (b) of section 33 of the Federal*  
15 *Fire Prevention and Control Act of 1974 (15 U.S.C. 2229)*  
16 *is amended by adding at the end the following new para-*  
17 *graph (12):*

18 *“(12) ELIGIBLE GRANTEE ON BEHALF OF ALAS-*  
19 *KA NATIVE VILLAGES.—The Alaska Village Initiatives,*  
20 *a non-profit organization incorporated in the State of*  
21 *Alaska, shall be considered an eligible grantee for pur-*  
22 *poses of receiving assistance under this section on be-*  
23 *half of Alaska Native villages.”.*

24 *SEC. 422. The Director of the Department of Home-*  
25 *land Security is authorized to acquire fee title to up to*

1 178.5 acres of undeveloped property on the North and West  
2 sides of Virginia Routes 601 and 605 in Clarke County and  
3 Loudoun County, Virginia, adjacent to a Federal Emer-  
4 gency Management Agency facility in Clarke County and  
5 Loudoun County, Virginia.

6       SEC. 423. From amounts previously appropriated  
7 under the heading “Emergency Response Fund” in Public  
8 Law 107–038, \$90,000,000 shall be made available, until  
9 expended, for the Federal Emergency Management Agency  
10 to administer baseline and follow-up screening and clinical  
11 examinations and long-term health monitoring and anal-  
12 ysis for emergency services personnel and rescue and recov-  
13 ery personnel, of which not less than \$25,000,000 shall be  
14 made available for such services for current and retired fire-  
15 fighters.

16       SEC. 424. Section 214 of the Housing and Community  
17 Development Act of 1980 (42 U.S.C. 1436a) is amended  
18 by—

19           (1) in subsection (a)(6), by striking “or” at the  
20 end;

21           (2) by renumbering paragraph (7) as paragraph  
22 (8) in subsection (a);

23           (3) by adding after paragraph (6) in subsection  
24 (a), the following new paragraph:



1        *nology, shall operate extramural research, develop-*  
 2        *ment, demonstration, testing, and evaluation pro-*  
 3        *grams so as to—*

4                *“(A) ensure that colleges, universities, pri-*  
 5                *ivate research institutes, and companies (and*  
 6                *consortia thereof) from as many areas of the*  
 7                *United States as practicable participate;*

8                *“(B) ensure that the research funded is of*  
 9                *high quality, as determined through merit review*  
 10                *processes developed under section 302(14); and*

11                *“(C) distribute funds through grants, coop-*  
 12                *erative agreements, and contracts.*

13                *“(2) UNIVERSITY-BASED CENTERS FOR HOME-*  
 14                *LAND SECURITY.—*

15                *“(A) DESIGNATION.—The Secretary, acting*  
 16                *through the Under Secretary for Science and*  
 17                *Technology, shall designate a university-based*  
 18                *center or several university-based centers for*  
 19                *homeland security. The purpose of the center or*  
 20                *these centers shall be to establish a coordinated,*  
 21                *university-based system to enhance the Nation’s*  
 22                *homeland security.*

23                *“(B) CRITERIA FOR DESIGNATION.—Cri-*  
 24                *teria for the designation of colleges or univer-*  
 25                *sities as a center for homeland security, shall in-*

1           *clude, but are not limited to, demonstrated ex-*  
2           *pertise in—*

3                     *“(i) The training of first responders.*

4                     *“(ii) Responding to incidents involving*  
5                     *weapons of mass destruction and biological*  
6                     *warfare.*

7                     *“(iii) Emergency and diagnostic med-*  
8                     *ical services.*

9                     *“(iv) Chemical, biological, radiological,*  
10                    *and nuclear countermeasures or detection.*

11                    *“(v) Animal and plant health and*  
12                    *diagnostics.*

13                    *“(vi) Food safety.*

14                    *“(vii) Water and wastewater oper-*  
15                    *ations.*

16                    *“(viii) Port and waterway security.*

17                    *“(ix) Multi-modal transportation.*

18                    *“(x) Information security and infor-*  
19                    *mation engineering.*

20                    *“(xi) Engineering.*

21                    *“(xii) Educational outreach and tech-*  
22                    *nical assistance.*

23                    *“(xiii) Border transportation and secu-*  
24                    *rity.*

1                   “(xiv) *The public policy implications*  
2                   *and public dissemination of homeland secu-*  
3                   *rity related research and development.*

4                   “(C) *DISCRETION OF SECRETARY.—To the*  
5                   *extent that exercising such discretion is in the*  
6                   *interest of Homeland Security, and with respect*  
7                   *to the designation of any given university-based*  
8                   *center for homeland security, the Secretary may*  
9                   *except certain criteria as specified in section*  
10                   *308(b)(2)(B) and consider additional criteria be-*  
11                   *yond those specified in section 308(b)(2)(B).*  
12                   *Upon designation of a university-based center*  
13                   *for homeland security, the Secretary shall that*  
14                   *day publish in the Federal Register the criteria*  
15                   *that were excepted or added in the selection proc-*  
16                   *ess and the justification for the set of criteria*  
17                   *that were used for that designation.*

18                   “(D) *REPORT TO CONGRESS.—The Sec-*  
19                   *retary shall report annually, from the date of en-*  
20                   *actment, to Congress concerning the implementa-*  
21                   *tion of this section. That report shall indicate*  
22                   *which center or centers have been designated and*  
23                   *how the designation or designations enhance*  
24                   *homeland security, as well as report any deci-*  
25                   *sions to revoke or modify such designations.*



1                   “(E) *AUTHORIZATION OF APPROPRIA-*  
 2                   *TIONS.—There are authorized to be appropriated*  
 3                   *such sums as may be necessary to carry out this*  
 4                   *paragraph.*

5                   “(c) *INTRAMURAL PROGRAMS.—*

6                   “(1) *CONSULTATION.—In carrying out the duties*  
 7                   *under section 302, the Secretary, acting through the*  
 8                   *Under Secretary for Science and Technology, may*  
 9                   *draw upon the expertise of any laboratory of the Fed-*  
 10                   *eral Government, whether operated by a contractor or*  
 11                   *the Government.”; and*

12                   (2) *in subsection 835(d) by striking all after the*  
 13                   *word “security” and inserting in lieu thereof a pe-*  
 14                   *riod.*

15                   *SEC. 102. NON-PREJUDICIAL REPEAL OF SECTIONS*  
 16                   *1714 THROUGH 1717 OF THE HOMELAND SECURITY ACT*  
 17                   *OF 2002. (a) REPEAL.—In accordance with subsection (c),*  
 18                   *sections 1714 through 1717 of the Homeland Security Act*  
 19                   *of 2002 (Public Law 107–296) are repealed.*

20                   (b) *APPLICATION OF THE PUBLIC HEALTH SERVICE*  
 21                   *ACT.—The Public Health Service Act (42 U.S.C. 201 et*  
 22                   *seq.) shall be applied and administered as if the sections*  
 23                   *repealed by subsection (a) had never been enacted.*

24                   (c) *RULE OF CONSTRUCTION.—No inference shall be*  
 25                   *drawn from the enactment of sections 1714 through 1717*

1 *of the Homeland Security Act of 2002 (Public Law 107–*  
2 *296), or from this repeal, regarding the law prior to enact-*  
3 *ment of sections 1714 through 1717 of the Homeland Secu-*  
4 *arity Act of 2002 (Public Law 107–296). Further, no infer-*  
5 *ence shall be drawn that subsection (a) or (b) effects any*  
6 *change in that prior law, or that Leroy v. Secretary of*  
7 *Health and Human Services, Office of Special Master, No.*  
8 *02–392V (October 11, 2002), was incorrectly decided.*

9       *(d) SENSE OF THE SENATE.—It is the sense of the Sen-*  
10 *ate that—*

11               *(1) the Nation’s ability to produce and develop*  
12 *new and effective vaccines faces significant challenges,*  
13 *and important steps are needed to revitalize our im-*  
14 *munization efforts in order to ensure an adequate*  
15 *supply of vaccines and to encourage the development*  
16 *of new vaccines;*

17               *(2) these steps include ensuring that patients*  
18 *who have suffered vaccine-related injuries have the op-*  
19 *portunity to seek fair and timely redress, and that*  
20 *vaccine manufacturers, manufacturers of components*  
21 *or ingredients of vaccines, and physicians and other*  
22 *administrators of vaccines have adequate protections;*

23               *(3) prompt action is particularly critical given*  
24 *that vaccines are a front line of defense against com-*

1 *mon childhood and adult diseases, as well as against*  
2 *current and future biological threats; and*

3 *(4) not later than 6 months after the date of en-*  
4 *actment of this Act, the Committee on Health, Edu-*  
5 *cation, Labor, and Pensions of the Senate should re-*  
6 *port a bill addressing the issues described in para-*  
7 *graphs (1) through (3).*

8 *SEC. 103. GENERAL.—The Homeland Security Act of*  
9 *2002 (Public Law 107–296) is amended—*

10 *(1) in subsection 232(f), by striking the period at*  
11 *the end of the sentence and inserting: “: Provided,*  
12 *That any such transfer or provision of funding shall*  
13 *be carried out in accordance with section 605 of Pub-*  
14 *lic Law 107–77.”;*

15 *(2) in subsection 234(b), by striking the period*  
16 *at the end of the sentence and inserting: “: Provided,*  
17 *That any such transfer shall be carried out in accord-*  
18 *ance with section 605 of Public Law 107–77.”;*

19 *(3) in subsection 873(b)—*

20 *(A) by inserting “Except as authorized by*  
21 *section 2601 of title 10, United States Code, and*  
22 *by section 93 of title 14, United States Code,”*  
23 *before the word “Gifts” in the second place it ap-*  
24 *pears; and*

1           (B) by striking the letter “G” and inserting  
2           in lieu thereof “g” in the word “Gifts” in the  
3           second place it appears;

4           (4) in subsection 1511(e)(2), after the word “de-  
5           velopment” and before the period, by inserting: “, and  
6           to any funds provided to the Coast Guard from the  
7           Aquatic Resources Trust Fund of the Highway Trust  
8           Fund for boating safety programs”; and

9           (5) at the end of the Act, by adding the following  
10          new section:

11          “SEC. 1714. Notwithstanding any other provision of  
12          this Act, any report, notification, or consultation address-  
13          ing directly or indirectly the use of appropriated funds and  
14          stipulated by this Act to be submitted to, or held with, the  
15          Congress or any Congressional committee shall also be sub-  
16          mitted to, or held with, the Committees on Appropriations  
17          of the Senate and the House of Representatives under the  
18          same conditions and with the same restrictions as stipu-  
19          lated by this Act.”.

20          SEC. 104. CONTRACTS WITH CORPORATE EXPATRI-  
21          ATES. (a) SHORT TITLE.—This section may be cited as the  
22          “Senator Paul Wellstone Corporate Patriotism Act of  
23          2003”.

24          (b) LIMITATION ON WAIVERS.—Section 835 of the  
25          Homeland Security Act of 2002 (Public Law 107–296) is

1 *amended by striking subsection (d) and inserting the fol-*  
2 *lowing:*

3       “(d) *WAIVERS.*—*The President may waive subsection*  
4 *(a) with respect to any specific contract if the President*  
5 *certifies to Congress that the waiver is essential to the na-*  
6 *tional security.*”.

7       (c) *EXPANDED COVERAGE OF ENTITIES.*—*Section*  
8 *835(a) of such Act is amended by inserting “nor any di-*  
9 *rectly or indirectly held subsidiary of such entity” after*  
10 *“subsection (b)”.*

11       *SEC. 105. SAVINGS PROVISION OF CERTAIN TRANS-*  
12 *FERS MADE UNDER THE HOMELAND SECURITY ACT OF*  
13 *2002. The transfer of functions under subtitle B of title XI*  
14 *of the Homeland Security Act of 2003 (Public Law 107–*  
15 *296) shall not affect any pending or completed administra-*  
16 *tive actions, including orders, determinations, rules, regula-*  
17 *tions, personnel actions, permits, agreements, grants, con-*  
18 *tracts, certificates, licenses, or registrations, in effect on the*  
19 *date immediately prior to the date of such transfer, or any*  
20 *proceeding, unless and until amended, modified, super-*  
21 *seded, terminated, set aside, or revoked. Pending civil ac-*  
22 *tions shall not be affected by such transfer of functions.*

23       *SEC. 106. RESTORATION OF PROVISION REGARDING*  
24 *FEEES TO COVER THE FULL COSTS OF ALL ADJUDICATION*  
25 *SERVICES. The Homeland Security Act of 2002 is amended*

1 *by striking section 457, including the amendment made by*  
 2 *such section.*

3       *SEC. 107. SENSE OF THE SENATE. It is the sense of*  
 4 *the Senate that the conferees on the part of the Senate on*  
 5 *the disagreeing votes of the two Houses on this joint resolu-*  
 6 *tion should insist that the committee of conference ensure*  
 7 *that the joint resolution as reported from the committee in-*  
 8 *cludes section 102 of division L relating to Homeland Secu-*  
 9 *rity Act of 2002 Amendments, as passed by the Senate (re-*  
 10 *lating to amendments to sections 1714 through 1717 of the*  
 11 *Homeland Security Act of 2002 (Public Law 107–296)).*

12                   *DIVISION M—OTHER MATTERS*

13           *TITLE I—DEFENSE RELATED TECHNICAL*

14                   *CORRECTIONS*

15       *SEC. 101. Section 8126 of Public Law 107–248 is*  
 16 *amended to read as follows: “Of the amounts appropriated*  
 17 *in Public Law 107–206, under the heading ‘Defense Emer-*  
 18 *gency Response Fund’, up to \$4,500,000 may be made*  
 19 *available to settle the disputed takings of property adjacent*  
 20 *to the Army Tooele Depot, Utah: Provided, That none of*  
 21 *these funds may be used to acquire fee title to the prop-*  
 22 *erties.”.*

23       *SEC. 102. Of the amounts appropriated in Public Law*  
 24 *107–248, under the heading “Operation and Maintenance,*  
 25 *Navy”, \$20,000,000 shall be available for use only in the*

1 *disposal of obsolete vessels in the Maritime Administration*  
2 *National Defense Reserve Fleet. Further, the Secretary of*  
3 *the Navy and the Secretary of Transportation shall report*  
4 *to the congressional defense committees no later than March*  
5 *1, 2003, regarding the total number of obsolete vessels in*  
6 *the Maritime Administration National Defense Reserve*  
7 *Fleet designated for disposal, the comparative condition of*  
8 *the vessels, the method of disposal, and the projected costs*  
9 *for disposal of each vessel.*

10 *SEC. 103. Section 124 of Public Law 107-249 is*  
11 *amended as follows: “Not more than \$2,000,000 of the funds*  
12 *appropriated or made available by this Act may be obli-*  
13 *gated for Partnership for Peace Programs.”.*

14 *SEC. 104. In Public Law 107-249, the total amount*  
15 *appropriated under the heading “Military Construction,*  
16 *Air Force” is reduced by \$18,600,000, and the total amount*  
17 *appropriated under the heading “Military Construction,*  
18 *Air Force Reserve” is increased by \$18,600,000.*

19 *SEC. 105. (a) Of the funds appropriated in Public Law*  
20 *107-249 for “Military Construction, Air Force”,*  
21 *\$15,000,000 for land acquisition at Nellis Air Force Base,*  
22 *Nevada, may be transferred by the Secretary of the Air*  
23 *Force to the United States Fish and Wildlife Service to ful-*  
24 *fill the obligations of the Air Force under section*  
25 *3011(b)(5)(F) of the Military Lands Withdrawal Act of*

1 1999. Upon receipt by the Service of the funds transferred  
2 in this paragraph, the obligations of the Department of the  
3 Air Force shall be considered fulfilled.

4 (b) The United States Fish and Wildlife Service may  
5 grant funds received by the Service under subsection (a) in  
6 a lump sum to the National Fish and Wildlife Foundation  
7 for use in accomplishing the purposes of section  
8 3011(b)(5)(F) of the Military Lands Withdrawal Act of  
9 1999. Funds received by the Foundation under the previous  
10 paragraph shall be subject to the provisions of the National  
11 Fish and Wildlife Foundation Establishment Act (16  
12 U.S.C. 3709(a)).

13 SEC. 106. Section 8040 of Public Law 107-248 is  
14 amended by striking “\$100,000” and inserting “\$250,000”.

15 SEC. 107. Upon enactment of this Act, the Secretary  
16 of Defense shall make the following transfers of funds: Pro-  
17 vided, That the amounts transferred shall be made available  
18 for the same purpose as the appropriations to which trans-  
19 ferred, and for the same time period as the appropriation  
20 from which transferred: Provided further, That the amounts  
21 shall be transferred between the following appropriations in  
22 the amount specified:

23 To:

24 Under the heading, “Procurement, Defense-  
25 Wide, 2003/2005”, \$74,000,000; and



1                   *“Procurement, Defense-Wide 2002/2004”*

2                   *\$30,000,000;*

3                   *From:*

4                   *Under the heading, “Procurement of Weap-*  
5                   *ons and Tracked Combat Vehicles, Army 2002/*  
6                   *2004”, \$5,000,000;*

7                   *“Procurement of Weapons and Tracked*  
8                   *Combat Vehicles, Army 2003/2005”, \$10,000,000;*

9                   *“Procurement of Ammunition, Army, 2002/*  
10                   *2004”, \$10,100,000;*

11                   *“Research, Development, Test and Evalua-*  
12                   *tion, Army, 2002/2003”, \$5,000,000;*

13                   *“Research, Development, Test and Evalua-*  
14                   *tion, Army, 2003/2004”, \$60,000,000; and*

15                   *“Research, Development, Test and Evalua-*  
16                   *tion, Defense-Wide, 2003/2004”, \$13,900,000.*

17                   *SEC. 108. Notwithstanding any other provision of law,*  
18                   *from funds made available to the Department of Defense*  
19                   *under the heading “Operation and Maintenance, Defense-*  
20                   *Wide” in the Department of Defense Appropriations Act,*  
21                   *2003 (Public Law 107–248), the Secretary of Defense shall*  
22                   *award a grant in the amount of \$2,000,000 to the Common-*  
23                   *wealth of Pennsylvania for Quecreek Mine disaster rescue*  
24                   *and recovery efforts.*

1        *SEC. 109. In addition to amounts appropriated in*  
2 *Public Law 107–248 there are hereby appropriated the fol-*  
3 *lowing amounts for the following accounts:*

4            *“Operation and Maintenance, Army”,*  
5            *\$133,947,000;*

6            *“Operation and Maintenance, Navy”,*  
7            *\$55,013,000;*

8            *“Operation and Maintenance, Air Force”,*  
9            *\$80,158,000;*

10           *“Operation and Maintenance, Defense-Wide”,*  
11           *\$418,297,000;*

12           *“Other Procurement, Air Force”, \$2,977,841,000;*

13           *“Procurement, Defense-Wide”, \$32,975,000;*

14           *“Research, Development, Test and Evaluation,*  
15 *Navy”, \$2,000,000;*

16           *“Research, Development, Test and Evaluation,*  
17 *Air Force”, \$26,980,000; and*

18           *“Research, Development, Test and Evaluation,*  
19 *Defense-Wide”, \$167,718,000.*

20        *SEC. 110. Funds appropriated by this Act, or made*  
21 *available by the transfer of funds in this Act, for intelligence*  
22 *activities are deemed to be specifically authorized by the*  
23 *Congress for purposes of section 504 of the National Secu-*  
24 *rity Act of 1947 (50 U.S.C. 414).*

1        *SEC. 111. (a) LIMITATION ON USE OF FUNDS FOR RE-*  
2 *SEARCH AND DEVELOPMENT ON TOTAL INFORMATION*  
3 *AWARENESS PROGRAM.—Notwithstanding any other provi-*  
4 *sion of law, commencing 60 days after the date of the enact-*  
5 *ment of this Act, no funds appropriated or otherwise made*  
6 *available to the Department of Defense, whether to an ele-*  
7 *ment of the Defense Advanced Research Projects Agency or*  
8 *any other element, or to any other department, agency, or*  
9 *element of the Federal Government, may be obligated or ex-*  
10 *pended on research and development on the Total Informa-*  
11 *tion Awareness program unless—*

12            *(1) the report described in subsection (b) is sub-*  
13 *mitted to Congress not later than 60 days after the*  
14 *date of the enactment of this Act; or*

15            *(2) the President certifies to Congress in writing,*  
16 *that—*

17                    *(A) the submittal of the report to Congress*  
18 *within 60 days after the date of the enactment*  
19 *of this Act is not practicable; and*

20                    *(B) the cessation of research and develop-*  
21 *ment on the Total Information Awareness pro-*  
22 *gram would endanger the national security of*  
23 *the United States.*

24        *(b) REPORT.—The report described in this subsection*  
25 *is a report, in writing, of the Secretary of Defense, the At-*

1 *torney General, and the Director of Central Intelligence,*  
2 *acting jointly, that—*

3 *(1) contains—*

4 *(A) a detailed explanation of the actual and*  
5 *intended use of funds for each project and activ-*  
6 *ity of the Total Information Awareness program,*  
7 *including an expenditure plan for the use of such*  
8 *funds;*

9 *(B) the schedule for proposed research and*  
10 *development on each project and activity of the*  
11 *Total Information Awareness program; and*

12 *(C) target dates for the deployment of each*  
13 *project and activity of the Total Information*  
14 *Awareness program;*

15 *(2) assesses the likely efficacy of systems such as*  
16 *the Total Information Awareness program in pro-*  
17 *viding practically valuable predictive assessments of*  
18 *the plans, intentions, or capabilities of terrorists or*  
19 *terrorist groups;*

20 *(3) assesses the likely impact of the implementa-*  
21 *tion of a system such as the Total Information*  
22 *Awareness program on privacy and civil liberties;*  
23 *and*

24 *(4) sets forth a list of the laws and regulations*  
25 *that govern the information to be collected by the*

1 *Total Information Awareness program, and a de-*  
2 *scription of any modifications of such laws that will*  
3 *be required to use the information in the manner pro-*  
4 *posed under such program;*

5 *(5) includes recommendations, endorsed by the*  
6 *Attorney General, for practices, procedures, regula-*  
7 *tions, or legislation on the deployment, implementa-*  
8 *tion, or use of the Total Information Awareness pro-*  
9 *gram to eliminate or minimize adverse effects of such*  
10 *program on privacy and other civil liberties.*

11 *(c) LIMITATION ON DEPLOYMENT OF TOTAL INFORMA-*  
12 *TION AWARENESS PROGRAM.—(1) Notwithstanding any*  
13 *other provision of law and except as provided in paragraph*  
14 *(2), if and when research and development on the Total In-*  
15 *formation Awareness program, or any component of such*  
16 *program, permits the deployment or implementation of*  
17 *such program or component, no department, agency, or ele-*  
18 *ment of the Federal Government may deploy or implement*  
19 *such program or component, or transfer such program or*  
20 *component to another department, agency, or element of the*  
21 *Federal Government, until the Secretary of Defense—*

22 *(A) notifies Congress of that development, includ-*  
23 *ing a specific and detailed description of—*

1           (i) each element of such program or compo-  
2           nent intended to be deployed or implemented;  
3           and

4           (ii) the method and scope of the intended  
5           deployment or implementation of such program  
6           or component (including the data or information  
7           to be accessed or used); and

8           (B) has received specific authorization by law  
9           from Congress for the deployment or implementation  
10          of such program or component, including—

11           (i) a specific authorization by law for the  
12           deployment or implementation of such program  
13           or component; and

14           (ii) a specific appropriation by law of  
15           funds for the deployment or implementation of  
16           such program or component.

17          (2) The limitation in paragraph (1) shall not apply  
18          with respect to the deployment or implementation of the  
19          Total Information Awareness program, or a component of  
20          such program, in support of the following:

21           (A) Lawful military operations of the United  
22           States conducted outside the United States.

23           (B) Lawful foreign intelligence activities con-  
24           ducted wholly overseas, or wholly against non-United  
25           States persons.

1       (d) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
2 *that—*

3           (1) *the Total Information Awareness program*  
4 *should not be used to develop technologies for use in*  
5 *conducting intelligence activities or law enforcement*  
6 *activities against United States persons without ap-*  
7 *propriate consultation with Congress or without clear*  
8 *adherence to principles to protect civil liberties and*  
9 *privacy; and*

10           (2) *the primary purpose of the Defense Advanced*  
11 *Research Projects Agency is to support the lawful ac-*  
12 *tivities of the Department of Defense and the national*  
13 *security programs conducted pursuant to the laws as-*  
14 *sembled for codification purposes in title 50, United*  
15 *States Code.*

16       (e) *DEFINITIONS.*—*In this section:*

17           (1) *TOTAL INFORMATION AWARENESS PRO-*  
18 *GRAM.*—*The term “Total Information Awareness*  
19 *program”—*

20           (A) *means the computer hardware and soft-*  
21 *ware components of the program known as Total*  
22 *Information Awareness, any related information*  
23 *awareness program, or any successor program*  
24 *under the Defense Advanced Research Projects*





1           (1) *in the subsection heading, by striking “LI-*  
2           *CENSES” and inserting “LICENSEES”; and*

3           (2) *by striking “August 1, 2002” each place it*  
4           *appears and inserting “August 1, 2017”.*

5           (b) *INDEMNIFICATION OF DEPARTMENT OF ENERGY*  
6           *CONTRACTORS.—Section 170 d.(1)(A) of the Atomic Energy*  
7           *Act of 1954 (42 U.S.C. 2210(d)(1)(A)) is amended by strik-*  
8           *ing “December 31, 2004” and inserting “August 1, 2017”.*

9           (c) *INDEMNIFICATION OF NONPROFIT EDUCATIONAL*  
10           *INSTITUTIONS.—Section 170 k. of the Atomic Energy Act*  
11           *of 1954 (42 U.S.C. 2210(k)) is amended by striking “August*  
12           *1, 2002” each place it appears and inserting “August 1,*  
13           *2017”.*

14           (d) *EFFECTIVE DATE.—The indemnification authority*  
15           *extended by this section shall apply to nuclear incidents*  
16           *occurring on or after August 1, 2002.*

17           **SEC. 203. MAXIMUM ASSESSMENT.**

18           *Section 170 of the Atomic Energy Act of 1954 (42*  
19           *U.S.C. 2210) is amended—*

20           (1) *in the second proviso of the third sentence of*  
21           *subsection b.(1)—*

22                   (A) *by striking “\$63,000,000” and inserting*  
23                   *“\$94,000,000”; and*

24                   (B) *by striking “\$10,000,000 in any 1*  
25                   *year” and inserting “\$15,000,000 in any 1 year*

1           *(subject to adjustment for inflation under sub-*  
 2           *section t.)*”; and

3           *(2) in subsection t.(1)—*

4                   *(A) by inserting “total and annual” after*  
 5                   *“amount of the maximum”;*

6                   *(B) by striking “the date of the enactment*  
 7                   *of the Price-Anderson Amendments Act of 1988”*  
 8                   *and inserting “July 1, 2002”; and*

9                   *(C) by striking “such date of enactment”*  
 10                   *and inserting “July 1, 2002”.*

11   **SEC. 204. DEPARTMENT OF ENERGY LIABILITY LIMIT.**

12           *(a) INDEMNIFICATION OF DEPARTMENT OF ENERGY*  
 13   *CONTRACTORS.—Section 170 d. of the Atomic Energy Act*  
 14   *of 1954 (42 U.S.C. 2210(d)) is amended by striking para-*  
 15   *graph (2) and inserting the following:*

16           *“(2) In an agreement of indemnification entered into*  
 17   *under paragraph (1), the Secretary—*

18                   *“(A) may require the contractor to provide and*  
 19                   *maintain financial protection of such a type and in*  
 20                   *such amounts as the Secretary shall determine to be*  
 21                   *appropriate to cover public liability arising out of or*  
 22                   *in connection with the contractual activity; and*

23                   *“(B) shall indemnify the persons indemnified*  
 24                   *against such liability above the amount of the finan-*  
 25                   *cial protection required, in the amount of*

1       \$10,000,000,000 (subject to adjustment for inflation  
2       under subsection t.), in the aggregate, for all persons  
3       indemnified in connection with the contract and for  
4       each nuclear incident, including such legal costs of the  
5       contractor as are approved by the Secretary.”.

6       (b) *CONTRACT AMENDMENTS.*—Section 170 d. of the  
7       Atomic Energy Act of 1954 (42 U.S.C. 2210(d)) is further  
8       amended by striking paragraph (3) and inserting the fol-  
9       lowing:

10       “(3) All agreements of indemnification under which  
11       the Department of Energy (or its predecessor agencies) may  
12       be required to indemnify any person under this section shall  
13       be deemed to be amended, on the date of enactment of the  
14       Price-Anderson Amendments Act of 2002, to reflect the  
15       amount of indemnity for public liability and any applica-  
16       ble financial protection required of the contractor under this  
17       subsection.”.

18       (c) *LIABILITY LIMIT.*—Section 170 e.(1)(B) of the  
19       Atomic Energy Act of 1954 (42 U.S.C. 2210(e)(1)(B)) is  
20       amended—

21               (1) by striking “the maximum amount of finan-  
22       cial protection required under subsection b. or”; and

23               (2) by striking “paragraph (3) of subsection d.,  
24       whichever amount is more” and inserting “paragraph  
25       (2) of subsection d.”.

1 **SEC. 205. INCIDENTS OUTSIDE THE UNITED STATES.**

2       (a) *AMOUNT OF INDEMNIFICATION.*—Section 170d.(5)  
3 *of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)(5))*  
4 *is amended by striking “\$100,000,000” and inserting*  
5 *“\$500,000,000”.*

6       (b) *LIABILITY LIMIT.*—Section 170e.(4) *of the Atomic*  
7 *Energy Act of 1954 (42 U.S.C. 2210(e)(4)) is amended by*  
8 *striking “\$100,000,000” and inserting “\$500,000,000”.*

9 **SEC. 206. REPORTS.**

10       Section 170p. *of the Atomic Energy Act of 1954 (42*  
11 *U.S.C. 2210(p)) is amended by striking “August 1, 1998”*  
12 *and inserting “August 1, 2013”.*

13 **SEC. 207. INFLATION ADJUSTMENT.**

14       Section 170t. *of the Atomic Energy Act of 1954 (42*  
15 *U.S.C. 2210(t)) is amended—*

16               (1) *by redesignating paragraph (2) as para-*  
17 *graph (3); and*

18               (2) *by adding after paragraph (1) the following:*

19               “(2) *The Secretary shall adjust the amount of indem-*  
20 *nification provided under an agreement of indemnification*  
21 *under subsection d. not less than once during each 5-year*  
22 *period following July 1, 2002, in accordance with the aggre-*  
23 *gate percentage change in the Consumer Price Index*  
24 *since—*

25               “(A) *that date, in the case of the first adjustment*  
26 *under this paragraph; or*

1           “(B) the previous adjustment under this para-  
2           graph.”.

3 **SEC. 208. TREATMENT OF MODULAR REACTORS.**

4           Section 170b. of the Atomic Energy Act of 1954 (42  
5 U.S.C. 2210(b)) is amended by adding at the end the fol-  
6           lowing:

7           “(5)(A) For purposes of this section only, the Commis-  
8           sion shall consider a combination of facilities described in  
9           subparagraph (B) to be a single facility having a rated ca-  
10          pacity of 100,000 electrical kilowatts or more.

11          “(B) A combination of facilities referred to in subpara-  
12          graph (A) is 2 or more facilities located at a single site,  
13          each of which has a rated capacity of 100,000 electrical kilo-  
14          watts or more but not more than 300,000 electrical kilo-  
15          watts, with a combined rated capacity of not more than  
16          1,300,000 electrical kilowatts.”.

17 **SEC. 209. APPLICABILITY.**

18          The amendments made by sections 203, 204, and 205  
19          do not apply to a nuclear incident that occurs before the  
20          date of the enactment of this Act.

21 **SEC. 210. CIVIL PENALTIES.**

22          (a) **REPEAL OF AUTOMATIC REMISSION.**—Section  
23          234Ab.(2) of the Atomic Energy Act of 1954 (42 U.S.C.  
24          2282a(b)(2)) is amended by striking the last sentence.

1           (b) *LIMITATION FOR NOT-FOR-PROFIT INSTITU-*  
2 *TIONS.—Subsection d. of section 234A of the Atomic Energy*  
3 *Act of 1954 (42 U.S.C. 2282a(d)) is amended to read as*  
4 *follows:*

5           “d.(1) *Notwithstanding subsection a., in the case of*  
6 *any not-for-profit contractor, subcontractor, or supplier, the*  
7 *total amount of civil penalties paid under subsection a.*  
8 *may not exceed the total amount of fees paid within any*  
9 *one-year period (as determined by the Secretary) under the*  
10 *contract under which the violation occurs.*

11           “(2) *For purposes of this section, the term ‘not-for-*  
12 *profit’ means that no part of the net earnings of the con-*  
13 *tractor, subcontractor, or supplier inures, or may lawfully*  
14 *inure, to the benefit of any natural person or for-profit arti-*  
15 *ficial person.’”.*

16           (c) *EFFECTIVE DATE.—The amendments made by this*  
17 *section shall not apply to any violation of the Atomic En-*  
18 *ergy Act of 1954 occurring under a contract entered into*  
19 *before the date of enactment of this section.*

20 *DIVISION N—EMERGENCY RELIEF AND OFFSETS*  
21 *That the following sums are appropriated, out of any*  
22 *money in the Treasury not otherwise appropriated, for the*  
23 *fiscal year ending September 30, 2003, and for other pur-*  
24 *poses, namely:*

1                   **TITLE I—ELECTION REFORM**

2           **SEC. 101. (a)** *In addition to amounts otherwise made*  
3 *available in this Act, \$1,500,000,000 is appropriated to es-*  
4 *tablish an election reform grant program to provide assist-*  
5 *ance to States and localities in improving election tech-*  
6 *nology and the administration of Federal elections.*

7                   **TITLE II—AGRICULTURAL ASSISTANCE**8           **SEC. 201. SHORT TITLE.**

9           *This title may be cited as the “Agricultural Assistance*  
10 *Act of 2003”.*

11           **SEC. 202. DEFINITIONS.**

12           *In this title:*

13                   (1) **COVERED COMMODITY.**—*The term “covered*  
14 *commodity” has the meaning given the term in sec-*  
15 *tion 1001 of the Farm Security and Rural Invest-*  
16 *ment Act of 2002 (7 U.S.C. 7901).*

17                   (2) **DISASTER COUNTY.**—*The term “disaster*  
18 *county” means a county included in the geographic*  
19 *area covered by a qualifying natural disaster declara-*  
20 *tion, excluding a contiguous county.*

21                   (3) **ELIGIBLE NONINSURABLE COMMODITY.**—*The*  
22 *term “eligible noninsurable commodity” means an el-*  
23 *igible crop for which the producers on a farm are eli-*  
24 *gible to obtain assistance under section 196 of the*

1 *Federal Agriculture Improvement and Reform Act of*  
 2 *1996 (7 U.S.C. 7333).*

3 (4) *INSURABLE COMMODITY.*—*The term “insur-*  
 4 *able commodity” means an agricultural commodity*  
 5 *(excluding livestock) produced in an area that is eli-*  
 6 *gible for coverage under a policy or plan of insurance*  
 7 *under the Federal Crop Insurance Act (7 U.S.C. 1501*  
 8 *et seq.).*

9 (5) *QUALIFYING NATURAL DISASTER DECLARA-*  
 10 *TION.*—*The term “qualifying natural disaster dec-*  
 11 *laration” means—*

12 (A) *a natural disaster declared by the Sec-*  
 13 *retary under section 321(a) of the Consolidated*  
 14 *Farm and Rural Development Act (7 U.S.C.*  
 15 *1961(a)); or*

16 (B) *a major disaster or emergency des-*  
 17 *ignated by the President under the Robert T.*  
 18 *Stafford Disaster Relief and Emergency Assist-*  
 19 *ance Act (42 U.S.C. 5121 et seq.).*

20 (6) *SECRETARY.*—*The term “Secretary” means*  
 21 *the Secretary of Agriculture.*

22 **SEC. 203. SUPPLEMENTAL DIRECT PAYMENTS.**

23 (a) *IN GENERAL.*—*The Secretary shall make payments*  
 24 *to producers on a farm if—*



1           (1)(A) *the farm is located in a disaster county*  
2           *declared during calendar year 2001 or 2002; or*

3           (B) *the producers on the farm have incurred*  
4           *qualifying crop losses with respect to the 2001 or*  
5           *2002 crop of a covered commodity or peanuts due to*  
6           *damaging weather or related condition, as determined*  
7           *by the Secretary using the same loss thresholds for the*  
8           *quantity and quality losses as were used in admin-*  
9           *istering section 815 of the Agriculture, Rural Develop-*  
10          *ment, Food and Drug Administration, and Related*  
11          *Agencies Appropriations Act, 2001 (Public Law 106-*  
12          *387; 114 Stat. 1549, 1549A-55); and*

13          (2) *the producers on the farm are eligible for di-*  
14          *rect payments for the 2002 crop of a covered com-*  
15          *modity or peanuts under sections 1103 and 1303, re-*  
16          *spectively, of the Farm Security and Rural Invest-*  
17          *ment Act of 2002 (7 U.S.C. 7913, 7953).*

18          (b) *AMOUNT.—The amount of the payment made to*  
19          *the producers on a farm under this section shall be equal*  
20          *to 42 percent of the amount of the direct payment the pro-*  
21          *ducers on the farm are eligible to receive for the 2002 crop*  
22          *under sections 1103 and 1303, respectively, of the Farm Se-*  
23          *curity and Rural Investment Act of 2002 (7 U.S.C. 7913,*  
24          *7953).*

1       (c) *CROP INSURANCE.*—As a condition of the receipt  
2 of a payment under this section—

3           (1) *in the case of an insurable commodity, the*  
4 *producers on the farm shall enter into a contract with*  
5 *the Secretary under which the producers on the farm*  
6 *agree—*

7           (A) *to obtain at least catastrophic risk pro-*  
8 *tection coverage for each insurable commodity*  
9 *produced on the farm for each of the next 2 crop*  
10 *years for which crop insurance is available*  
11 *under the Federal Crop Insurance Act (7 U.S.C.*  
12 *1501 et seq.), as determined by the Secretary;*  
13 *and*

14           (B) *on violation of the contract, to repay to*  
15 *the Secretary any payment received under this*  
16 *section; and*

17           (2) *in the case of an eligible noninsurable com-*  
18 *modity, the producers on the farm shall enter into a*  
19 *contract with the Secretary under which the pro-*  
20 *ducers on the farm agree—*

21           (A) *to file the required paperwork, and pay*  
22 *the administrative fee by the applicable State fil-*  
23 *ing deadline, for each eligible noninsurable com-*  
24 *modity produced on the farm for each of the next*  
25 *2 crop or calendar years (as applicable) under*

1           *section 196 of the Federal Agriculture Improve-*  
2           *ment and Reform Act of 1996 (7 U.S.C. 7333),*  
3           *as determined by the Secretary; and*

4                     *(B) on violation of the contract, to repay to*  
5           *the Secretary any payment received under this*  
6           *section.*

7           *(d) ADMINISTRATION.—The total amount of payments*  
8           *made to a person under this section for 1 or more covered*  
9           *commodities, and the total amount of payments made to*  
10          *a person under this section for peanuts, shall not exceed*  
11          *the dollar amounts that are specified in paragraphs (1) and*  
12          *(2), respectively, of section 1001(b) of the Food Security Act*  
13          *of 1985 (7 U.S.C. 1308(b)).*

14          *(e) TIME FOR PAYMENT.—The Secretary shall make*  
15          *payments under this section as soon as practicable after the*  
16          *date of enactment of this Act.*

17    **SEC. 204. LIVESTOCK ASSISTANCE.**

18          *(a) LIVESTOCK ASSISTANCE PROGRAM.—Subject to*  
19          *subsection (c), in carrying out the 2002 Livestock Com-*  
20          *pensation Program announced by the Secretary on October*  
21          *10, 2002 (67 Fed. Reg. 63070), the Secretary shall—*

22                     *(1) provide assistance to any applicant that—*

23                             *(A) conducts a livestock operation that is*  
24                     *physically located in a county that requested a*  
25                     *declaration as a disaster county during the pe-*

1            *riod beginning on January 1, 2001, and ending*  
2            *on the date of enactment of this Act; and*

3                    *(B) meets all other eligibility requirements*  
4                    *established by the Secretary for the Program;*

5            *(2) provide assistance to producers of an animal*  
6            *described in section 10806(a)(1) of the Farm Security*  
7            *and Rural Investment Act of 2002 (21 U.S.C.*  
8            *321d(a)(1)) that meet all other eligibility require-*  
9            *ments established by the Secretary for the Program;*  
10           *and*

11                    *(3) effective beginning on the date of enactment*  
12                    *of this Act, carry out the Program using funds of the*  
13                    *Commodity Credit Corporation.*

14           *(b) LIVESTOCK LOSS ASSISTANCE PROGRAM.—*

15                    *(1) IN GENERAL.—Subject to paragraph (2) and*  
16                    *subsection (c), the Secretary shall use \$250,000,000 of*  
17                    *funds of the Commodity Credit Corporation to estab-*  
18                    *lish a program under which payments for livestock*  
19                    *losses are made using the criteria established to carry*  
20                    *out the 1999 Livestock Assistance Program to pro-*  
21                    *ducers for losses in a disaster county declared during*  
22                    *calendar year 2001 or 2002.*

23                    *(2) CHOICE OF PAYMENTS.—If the farm of the*  
24                    *producers is located in a disaster county declared*  
25                    *during each of calendar years 2001 and 2002, the*

1 *producers on the farm may elect to receive payments*  
2 *under this subsection for losses associated with the*  
3 *qualifying natural disaster declaration in either cal-*  
4 *endar year 2001 or calendar year 2002, but not both.*

5 *(c) RELATIONSHIP OF LIVESTOCK ASSISTANCE PRO-*  
6 *GRAMS.—*

7 *(1) DEFINITION OF LIVESTOCK ASSISTANCE PRO-*  
8 *GRAM.—In this subsection, the term “livestock assist-*  
9 *ance program” means—*

10 *(A) the 2002 Cattle Feed Program an-*  
11 *nounced by the Secretary on September 3, 2002*  
12 *(67 Fed. Reg. 56260);*

13 *(B) the 2002 Livestock Compensation Pro-*  
14 *gram, as announced by the Secretary on October*  
15 *10, 2002 (67 Fed. Reg. 63070) and modified in*  
16 *accordance with subsection (a); and*

17 *(C) the livestock loss assistance program es-*  
18 *tablished under subsection (b).*

19 *(2) PAYMENTS.—The amount of assistance that*  
20 *the producers on a farm would otherwise receive for*  
21 *a loss under a livestock assistance program shall be*  
22 *reduced by the amount of the assistance that the pro-*  
23 *ducers on the farm receive under any other livestock*  
24 *assistance program.*

1 **SEC. 205. EMERGENCY SURPLUS REMOVAL.**

2       *The Secretary shall transfer \$250,000,000 of funds of*  
 3 *the Commodity Credit Corporation to the fund established*  
 4 *by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c),*  
 5 *to carry out emergency surplus removal of agricultural*  
 6 *commodities.*

7 **SEC. 206. SPECIALTY CROPS.**

8       *The Secretary shall use \$100,000,000 of funds of the*  
 9 *Commodity Credit Corporation to provide assistance to*  
 10 *producers directly or through grants to States, or take such*  
 11 *other action as the Secretary determines is appropriate, to*  
 12 *assist producers of fruits and vegetables (including nuts).*

13 **SEC. 207. TOBACCO PAYMENTS.**

14       (a) *DEFINITIONS.—In this section:*

15               (1) *ELIGIBLE PERSON.—The term “eligible per-*  
 16 *son” means a person that—*

17                       (A) *owns a farm for which, irrespective of*  
 18 *temporary transfers or undermarketings, a basic*  
 19 *quota or allotment for eligible tobacco is estab-*  
 20 *lished for the 2002 crop year under part I of*  
 21 *subtitle B of title III of the Agricultural Adjust-*  
 22 *ment Act of 1938 (7 U.S.C. 1311 et seq.);*

23                       (B) *controls the farm from which, under the*  
 24 *quota or allotment for the relevant period, eligi-*  
 25 *ble tobacco is marketed, could have been mar-*

1            *keted, or can be marketed, taking into account*  
 2            *temporary transfers; or*

3            *(C) grows, could have grown, or can grow*  
 4            *eligible tobacco that is marketed, could have been*  
 5            *marketed, or can be marketed under the quota or*  
 6            *allotment for the 2002 crop year, taking into ac-*  
 7            *count temporary transfers.*

8            *(2) ELIGIBLE TOBACCO.—The term “eligible to-*  
 9            *bacco” means each of the following kinds of tobacco:*

10            *(A) Flue-cured tobacco, comprising types*  
 11            *11, 12, 13, and 14.*

12            *(B) Fire-cured tobacco, comprising types*  
 13            *21, 22, and 23.*

14            *(C) Dark air-cured tobacco, comprising*  
 15            *types 35 and 36.*

16            *(D) Virginia sun-cured tobacco, comprising*  
 17            *type 37.*

18            *(E) Burley tobacco, comprising type 31.*

19            *(F) Cigar-filler and cigar-binder tobacco,*  
 20            *comprising types 42, 43, 44, 54, and 55.*

21            *(b) PAYMENTS.—Not later than June 1, 2003, the Sec-*  
 22            *retary shall use funds of the Commodity Credit Corporation*  
 23            *to make payments under this section.*

24            *(c) POUNDAGE PAYMENT QUANTITIES.—*

25            *(1) IN GENERAL.—*

1           (A) *FLUE-CURED AND CIGAR TOBACCO.*—*In*  
2           *the case of Flue-cured tobacco (types 11, 12, 13,*  
3           *and 14) and cigar-filler and cigar-binder tobacco*  
4           *(types 42, 43, 44, 54, and 55), the poundage*  
5           *payment quantity under this section shall equal*  
6           *the number of pounds of the basic poundage*  
7           *quota of the kind of tobacco, irrespective of tem-*  
8           *porary transfers or undermarketings, under part*  
9           *I of subtitle B of title III of the Agricultural Ad-*  
10           *justment Act of 1938 (7 U.S.C. 1311 et seq.) for*  
11           *the 2002 crop year.*

12           (B) *OTHER KINDS OF ELIGIBLE TOBACCO.*—  
13           *In the case of each other kind of eligible tobacco,*  
14           *the poundage payment quantity under this sec-*  
15           *tion shall equal—*

16                   (i) *in the case of eligible persons that*  
17                   *are owners described in subsection*  
18                   *(a)(1)(A), the number of pounds of the basic*  
19                   *poundage quota of the kind of tobacco, irre-*  
20                   *spective of temporary transfers or under-*  
21                   *marketings, under part I of subtitle B of*  
22                   *title III of the Agricultural Adjustment Act*  
23                   *of 1938 (7 U.S.C. 1311 et seq.) for the 2002*  
24                   *crop year; and*



1                   (ii) in the case of eligible persons that  
2                   are controllers described in subsection  
3                   (a)(1)(B) or growers described in subsection  
4                   (a)(1)(C), the number of pounds of effective  
5                   poundage quota of the kind of tobacco, in-  
6                   cluding temporary transfers or undermar-  
7                   ketings, under part I of subtitle B of title  
8                   III of the Agricultural Adjustment Act of  
9                   1938 (7 U.S.C. 1311 et seq.) for the 2002  
10                  crop year.

11                  (2) CONVERSION OF INDIVIDUAL ALLOTMENTS TO  
12                  POUNDAGE PAYMENT QUANTITIES.—In the case of  
13                  each kind of eligible tobacco other than Flue-cured to-  
14                  bacco (types 11, 12, 13, and 14) and Burley tobacco  
15                  (type 31), individual allotments shall be converted to  
16                  poundage payment quantities by multiplying—

17                         (A) the number of acres that may, irrespec-  
18                         tive of temporary transfers or undermarketings,  
19                         be devoted, without penalty, to the production of  
20                         the kind of tobacco under the allotment under  
21                         part I of subtitle B of title III of the Agricul-  
22                         tural Adjustment Act of 1938 (7 U.S.C. 1311 et  
23                         seq.) for the 2002 crop year; by

24                         (B)(i) in the case of fire-cured tobacco (type  
25                         21), 1,746 pounds per acre;

1           (ii) in the case of fire-cured tobacco (types  
2           22 and 23), 2,676 pounds per acre;

3           (iii) in the case of dark air-cured tobacco  
4           (types 35 and 36), 2,475 pounds per acre;

5           (iv) in the case of Virginia sun-cured to-  
6           bacco (type 37), 1,502 pounds per acre; and

7           (v) in the case of cigar-filler and cigar-  
8           binder tobacco (types 42, 43, 44, 54, and 55),  
9           2,230 pounds per acre.

10       (d) *AVAILABLE PAYMENT AMOUNTS.*—The available  
11       payment amount for each kind of eligible tobacco under sub-  
12       section (b) shall not exceed the amount obtained by  
13       multiplying—

14           (1) 5.55 cents per pound; and

15           (2) the national basic poundage quota for the ap-  
16       plicable kind.

17       (e) *DIVISION OF PAYMENTS AMONG ELIGIBLE PER-*  
18       *SONS.*—

19           (1) *IN GENERAL.*—Payments available with re-  
20       spect to a pound of payment quantity, as determined  
21       under subsection (d), shall be made available to eligi-  
22       ble persons in accordance with this paragraph, as de-  
23       termined by the Secretary.

24           (2) *FLUE-CURED AND CIGAR TOBACCO.*—In the  
25       case of payments made available in a State under

1        *subsection (b) for Flue-cured tobacco (types 11, 12,*  
2        *13, and 14) and cigar-filler and cigar-binder tobacco*  
3        *(types 42, 43, 44, 54, and 55), the Secretary shall dis-*  
4        *tribute (as determined by the Secretary)—*

5                *(A) 50 percent of the payments to eligible*  
6                *persons that are owners described in subsection*  
7                *(a)(1)(A); and*

8                *(B) 50 percent of the payments to eligible*  
9                *persons that are growers described in subsection*  
10               *(a)(1)(C).*

11               *(3) OTHER KINDS OF ELIGIBLE TOBACCO.—In*  
12               *the case of payments made available in a State under*  
13               *subsection (b) for each other kind of eligible tobacco*  
14               *not covered by paragraph (2), the Secretary shall dis-*  
15               *tribute (as determined by the Secretary)—*

16               *(A) 33<sup>1</sup>/<sub>3</sub> percent of the payments to eligible*  
17               *persons that are owners described in subsection*  
18               *(a)(1)(A);*

19               *(B) 33<sup>1</sup>/<sub>3</sub> percent of the payments to eligible*  
20               *persons that are controllers described in sub-*  
21               *section (a)(1)(B); and*

22               *(C) 33<sup>1</sup>/<sub>3</sub> percent of the payments to eligible*  
23               *persons that are growers described in subsection*  
24               *(a)(1)(C).*

1           (f) *SPECIAL RULE FOR GEORGIA.*—*The Secretary may*  
2 *make payments under this section to eligible persons in*  
3 *Georgia only if the State of Georgia agrees to use*  
4 *\$13,000,000 to make payments at the same time, or subse-*  
5 *quently, to the same persons in the same manner as pro-*  
6 *vided for the Federal payments under this section, as re-*  
7 *quired by section 204(b)(6) of the Agricultural Risk Protec-*  
8 *tion Act of 2000 (7 U.S.C. 1421 note; Public Law 106-*  
9 *224).*

10           (g) *JUDICIAL REVIEW.*—*A determination by the Sec-*  
11 *retary under this section shall not be subject to judicial re-*  
12 *view.*

13 **SEC. 208. COTTONSEED.**

14           *The Secretary shall use \$50,000,000 of funds of the*  
15 *Commodity Credit Corporation to provide assistance to*  
16 *producers and first-handlers of the 2002 crop of cottonseed.*

17 **SEC. 209. HURRICANE ASSISTANCE.**

18           (a) *IN GENERAL.*—*In a State in a which a qualifying*  
19 *natural disaster declaration has been made during a cal-*  
20 *endar year, the Secretary shall make available to first proc-*  
21 *essors that are eligible to obtain a loan under section 156(a)*  
22 *of the Federal Agriculture Improvement and Reform Act*  
23 *of 1996 (7 U.S.C. 7272(a)) assistance in the form of pay-*  
24 *ments, or commodities in the inventory of the Commodity*  
25 *Credit Corporation from carrying out that section, to par-*

1 *tially compensate producers and first processors for crop*  
2 *and other losses that are related to the qualifying natural*  
3 *disaster declaration.*

4 *(b) ADMINISTRATION.—Assistance under this section*  
5 *shall be—*

6 *(1) shared by an affected first processor with af-*  
7 *ected producers that provide commodities to the proc-*  
8 *essor in a manner that reflects contracts entered into*  
9 *between the processor and the producers; and*

10 *(2) made available under such terms and condi-*  
11 *tions as the Secretary determines are necessary to*  
12 *carry out this section.*

13 *(c) QUANTITY.—To carry out this section, the Sec-*  
14 *retary shall—*

15 *(1) use 200,000 tons of commodities in the in-*  
16 *ventory of the Commodity Credit Corporation under*  
17 *section 156(a) of the Federal Agriculture Improve-*  
18 *ment and Reform Act of 1996 (7 U.S.C. 7272(a));*

19 *(2) make payments in an aggregate amount*  
20 *equal to the market value of 200,000 tons of commod-*  
21 *ities described in paragraph (1); or*

22 *(3) take any combination of actions described in*  
23 *paragraphs (1) and (2) using commodities or pay-*  
24 *ments with a total market value of 200,000 tons of*  
25 *commodities described in paragraph (1).*

1           (d) *LIMITATIONS.*—*The Secretary shall provide assist-*  
2 *ance under this section only in a State described in section*  
3 *359f(c)(1)(A) of the Agricultural Adjustment Act of 1938*  
4 *(7 U.S.C. 1359ff(c)(1)(A)) in which a qualifying natural*  
5 *disaster declaration was made during calendar year 2002.*

6 **SEC. 210. WEATHER-RELATED LOSSES.**

7           *The Secretary shall use not more than \$80,000,000 of*  
8 *funds of the Commodity Credit Corporation to provide as-*  
9 *sistance to sugar beet producers that suffered production*  
10 *losses (including quality losses) for the 2002 crop year, as*  
11 *determined by the Secretary.*

12 **SEC. 211. ASSISTANCE TO AGRICULTURAL PRODUCERS LO-**  
13 **CATED ALONG RIO GRANDE FOR WATER**  
14 **LOSSES.**

15           (a) *IN GENERAL.*—*The Secretary shall use*  
16 *\$10,000,000 of funds of the Commodity Credit Corporation*  
17 *to make a grant to the State of Texas, acting through the*  
18 *Texas Department of Agriculture, to provide assistance to*  
19 *agricultural producers in the State of Texas with farming*  
20 *operations along the Rio Grande that have suffered eco-*  
21 *nomie losses during the 2002 crop year due to the failure*  
22 *of Mexico to deliver water to the United States in accord-*  
23 *ance with the Treaty Relating to the Utilization of Waters*  
24 *of the Colorado and Tijuana Rivers and of the Rio Grande,*  
25 *and Supplementary Protocol signed November 14, 1944,*

1 *signed at Washington February 3, 1944 (59 Stat. 1219; TS*  
2 *994).*

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

7 **SEC. 212. ASSISTANCE TO AGRICULTURAL PRODUCERS LO-**  
8                   **CATED IN NEW MEXICO FOR TEBUTHIURON**  
9                   **APPLICATION LOSSES.**

10       **(a) IN GENERAL.**—*The Secretary shall use not more*  
11 *than \$1,650,000 of funds of the Commodity Credit Corpora-*  
12 *tion to reimburse agricultural producers on farms located*  
13 *in the vicinity of Malaga, New Mexico, for losses incurred*  
14 *during calendar years 2002 and 2003 as the result of the*  
15 *application by the Federal Government of tebuthiuron on*  
16 *land on or near the farms of the producers during August*  
17 *2002, to remain available until expended.*

18       **(b) AMOUNT.**—*The amount of assistance provided to*  
19 *individual agricultural producers under this section shall*  
20 *be proportional to the amount of losses described in sub-*  
21 *section (a) that were incurred by the producers.*

22 **SEC. 213. ADMINISTRATION.**

23       *Section 1232(a)(7)(A)(iii) of the Food Security Act of*  
24 *1985 (16 U.S.C. 3832(a)(7)(A)(iii)) is amended by insert-*

1 *ing before the semicolon the following: “, except that this*  
2 *clause shall not apply during the 2002 calendar year”.*

3 **SEC. 214. SENSE OF SENATE ON ASSISTANCE FOR PORK**  
4 **PRODUCERS UNDER THE FEED ASSISTANCE**  
5 **PROGRAMS.**

6 *It is the sense of the Senate that—*

7 *(1) weather-related disasters have caused eco-*  
8 *nomical distress for United States pork producers in*  
9 *the form of higher feed costs;*

10 *(2) feed assistance programs administered by the*  
11 *Secretary (such as the Livestock Assistance Program*  
12 *established under part 1439 of title 7, Code of Federal*  
13 *Regulations, and the 2002 Cattle Feed Program an-*  
14 *nounced by the Secretary on September 3, 2002 (67*  
15 *Fed. Reg. 56260)), have been very effective in—*

16 *(A) assisting cow-calf producers that have*  
17 *been negatively affected by weather-related disas-*  
18 *ters; and*

19 *(B) reducing Commodity Credit Corpora-*  
20 *tion-owned stocks of powdered nonfat dry milk;*  
21 *and*

22 *(3) the Secretary, using authorities of the Com-*  
23 *modity Credit Corporation, should expand feed assist-*  
24 *ance programs administered by the Secretary to in-*



1 *clude United States pork producers that are nega-*  
2 *tively affected by weather-related disasters.*

3 **SEC. 215. FUNDING.**

4 *(a) IN GENERAL.—The Secretary shall use the funds,*  
5 *facilities, and authorities of the Commodity Credit Cor-*  
6 *poration to carry out this title, to remain available until*  
7 *expended.*

8 *(b) ADMINISTRATION.—The Secretary, acting through*  
9 *the Farm Service Agency, may use not more than*  
10 *\$70,000,000 of funds of the Commodity Credit Corporation*  
11 *to cover administrative costs associated with the implemen-*  
12 *tation of this title and title I of the Farm Security and*  
13 *Rural Investment Act of 2002 (7 U.S.C. 7901 et seq.), to*  
14 *remain available until expended.*

15 **SEC. 216. REGULATIONS.**

16 *(a) IN GENERAL.—The Secretary may promulgate*  
17 *such regulations as are necessary to implement this title.*

18 *(b) PROCEDURE.—The promulgation of the regulations*  
19 *and administration of this title shall be made without re-*  
20 *gard to—*

21 *(1) the notice and comment provisions of section*  
22 *553 of title 5, United States Code;*

23 *(2) the Statement of Policy of the Secretary of*  
24 *Agriculture effective July 24, 1971 (36 Fed. Reg.*

1 13804), relating to notices of proposed rulemaking  
 2 and public participation in rulemaking; and

3 (3) chapter 35 of title 44, United States Code  
 4 (commonly known as the “Paperwork Reduction  
 5 Act”).

6 (c) CONGRESSIONAL REVIEW OF AGENCY RULE-  
 7 MAKING.—In carrying out this section, the Secretary shall  
 8 use the authority provided under section 808 of title 5,  
 9 United States Code.

10 *TITLE III—WILDLAND FIRE EMERGENCY*

11 *DEPARTMENT OF THE INTERIOR*

12 *BUREAU OF LAND MANAGEMENT*

13 *WILDLAND FIRE MANAGEMENT*

14 *For an additional amount to repay prior year ad-*  
 15 *vances from other appropriations transferred for wildfire*  
 16 *suppression and emergency rehabilitation by the Depart-*  
 17 *ment of the Interior, \$189,000,000, to remain available*  
 18 *until expended.*

19 *RELATED AGENCY*

20 *DEPARTMENT OF AGRICULTURE*

21 *FOREST SERVICE*

22 *WILDLAND FIRE MANAGEMENT*

23 *For an additional amount to repay advances from*  
 24 *other appropriations from which funds were transferred for*  
 25 *wildfire suppression and emergency rehabilitation activi-*

1 ties, \$636,000,000, to remain available until expended. Of  
2 the funds provided, \$70,000,000 shall be transferred to the  
3 Knutson Vandenburg fund, \$30,000,000 shall be transferred  
4 to the Salvage Sale fund, \$143,000,000 shall be transferred  
5 to the Land Acquisition account, \$132,000,000 shall be  
6 transferred to the Capital Improvement and Maintenance  
7 account, \$30,000,000 shall be transferred to the Timber  
8 Purchaser Election account, \$77,000,000 shall be trans-  
9 ferred to the State and Private Forestry account,  
10 \$23,000,000 shall be transferred to the Forest and Range-  
11 land Research account, \$62,000,000 shall be transferred to  
12 the National Forest System account, \$20,000,000 shall be  
13 transferred to the Brush Disposal Account, \$30,000,000  
14 shall be transferred to the Working Capital Fund of the For-  
15 est Service, \$4,000,000 shall be transferred to the Receipts  
16 for Road and Trail fund, \$1,000,000 shall be transferred  
17 to the Operations and Maintenance of Quarters fund, and  
18 \$14,000,000 shall be transferred to the Forest Service Recre-  
19 ation Fee Demonstration fund.

20 *TITLE IV—TANF AND MEDICARE*

21 *SEC. 401. Section 114 of Public Law 107–229, as*  
22 *amended by section 3 of Public Law 107–240 and by section*  
23 *2 of Public Law 107–294, is amended—*

1           (1) by striking “the date specified in section  
2           107(c) of this joint resolution” and inserting “Sep-  
3           tember 30, 2003”; and

4           (2) by striking “: Provided further, That not-  
5           withstanding” and all that follows through the period  
6           and inserting a period.

7           SEC. 402. SPECIFICATION OF THE CONVERSION FAC-  
8           TOR FOR PAYMENTS UNDER THE MEDICARE PHYSICIAN  
9           FEE SCHEDULE FOR 2003. (a) IN GENERAL.—Section  
10          1848(d) of the Social Security Act (42 U.S.C. 1395w-4(d))  
11          is amended by adding at the end the following new para-  
12          graph:

13                   “(5) CONVERSION FACTOR FOR 2003.—

14                           “(A) IN GENERAL.—Notwithstanding para-  
15                           graph (4), the conversion factor established under  
16                           this subsection for services furnished during the  
17                           period beginning on March 1, 2003, and ending  
18                           on September 30, 2003, shall be equal to the con-  
19                           version factor established under this subsection  
20                           for 2002.”.

21                           “(B) NO EFFECT FOR SUBSEQUENT PERI-  
22                           ODS.—The conversion factor under paragraph  
23                           (1) and the update adjustment factor under  
24                           paragraph (4)(B) for the portion of 2003 occur-  
25                           ring after September 30, 2003, and before Janu-

1           ary 1, 2004, and for a year after 2003 shall be  
2           applied and computed as if subparagraph (A)  
3           had not been in effect.

4           “(C) *CONFORMING PROVISIONS TO ENSURE*  
5           *NO EFFECT FOR SUBSEQUENT PERIODS.*—*In car-*  
6           *rying out subparagraph (B):*

7                   “(i) *NO EFFECT ON TARGET FOR AL-*  
8                   *LOWED EXPENDITURES.*—*The allowed ex-*  
9                   *penditures under paragraph (4)(C)(iii) for*  
10                   *the portion of 2003 occurring after Sep-*  
11                   *tember 30, 2003, and before January 1,*  
12                   *2004, and for years after 2003 shall be ap-*  
13                   *plied and computed as if subparagraph (A)*  
14                   *had not been in effect.*

15                   “(ii) *REMOVAL OF ADDITIONAL EX-*  
16                   *PENDITURES FROM ACTUAL EXPENDI-*  
17                   *TURES.*—*In applying paragraph (4)(B) for*  
18                   *the portion of 2003 occurring after Sep-*  
19                   *tember 30, 2003, and before January 1,*  
20                   *2004, and for years beginning with 2004,*  
21                   *the actual expenditures for 2003 shall be—*

22                           “(I) *the actual expenditures other-*  
23                           *wise determined for 2003, reduced by*

24                           “(II) *the portion of such expendi-*  
25                           *tures in 2003 that are attributable to*

1                   *the increase in the conversion factor*  
 2                   *under subparagraph (A).*

3                   “(iii) *NOT TREATED AS CHANGE IN*  
 4                   *LAW AND REGULATION IN SUSTAINABLE*  
 5                   *GROWTH RATE DETERMINATION.—The en-*  
 6                   *actment of this paragraph shall not be*  
 7                   *treated as a change in law for purposes of*  
 8                   *applying subsection (f)(2)(D).”.*

9                   **(b) CONFORMING AMENDMENTS.**—*Section 1848(d) of*  
 10 *the Social Security Act (42 U.S.C. 1395w-4(d)) is*  
 11 *amended—*

12                   (1) *in paragraph (1)(A), by inserting “and sub-*  
 13 *ject to paragraph (5)” after “with 2001”;*

14                   (2) *in paragraph (4)(A), by inserting “(includ-*  
 15 *ing paragraph (5))” after “Unless otherwise provided*  
 16 *by law”;*

17                   (3) *in paragraph (4)(B), by inserting “and*  
 18 *paragraphs (5)(B) and (5)(C)” after “subparagraph*  
 19 *(D)” in the matter preceding clause (i); and*

20                   (4) *in paragraph (4)(C)(iii), by striking “The*  
 21 *allowed expenditures” and inserting “Subject to para-*  
 22 *graph (5)(C)(i), the allowed expenditures”.*

23                   **SEC. 403. TEMPORARY EQUALIZATION OF URBAN AND**  
 24 **RURAL STANDARDIZED PAYMENT AMOUNTS UNDER THE**  
 25 **MEDICARE INPATIENT HOSPITAL PROSPECTIVE PAYMENT**

1 *SYSTEM. (a) IN GENERAL.—Notwithstanding the deter-*  
2 *mination of the applicable standardized amounts under*  
3 *paragraph (3)(A) of section 1886(d) of the Social Security*  
4 *Act (42 U.S.C. 1395ww(3)(A)), for purposes of making pay-*  
5 *ments under such section for discharges occurring during*  
6 *the period beginning on April 1, 2003, and ending on Sep-*  
7 *tember 30, 2003, the standardized amount applicable under*  
8 *such paragraph for hospitals located other than in a large*  
9 *urban area for that period shall be increased to an amount*  
10 *equal to the standardized amount otherwise applicable*  
11 *under such paragraph for hospitals located in a large urban*  
12 *area for that period.*

13 *(b) NO EFFECT ON PERIODS BEYOND SEPTEMBER 30,*  
14 *2003.—The increase in the standardized amount for hos-*  
15 *pitals located other than in a large urban area provided*  
16 *for under subsection (a) for the period beginning on April*  
17 *1, 2003, and ending on September 30, 2003, shall not apply*  
18 *to discharges occurring after such period, and shall not be*  
19 *taken into account in calculating the payment amounts ap-*  
20 *plicable for discharges occurring after such period.*

21 *SEC. 404. EXTENSION OF TEMPORARY INCREASE FOR*  
22 *HOME HEALTH SERVICES FURNISHED IN A RURAL AREA.*

23 *(a) IN GENERAL.—Section 508(a) of the Medicare, Med-*  
24 *icaid, and SCHIP Benefits Improvement and Protection*

1 *Act of 2000 (114 Stat. 2763A–533), as enacted into law*  
 2 *by section 1(a)(6) of Public Law 106–554, is amended—*

3 *(1) by striking “24-MONTH INCREASE BEGIN-*  
 4 *NING APRIL 1, 2001” and inserting “IN GENERAL”;*

5 *(2) by striking “April 1, 2003” and inserting*  
 6 *“October 1, 2003”; and*

7 *(3) by inserting before the period at the end the*  
 8 *following: “(or 5 percent in the case of such services*  
 9 *furnished on or after April 1, 2003, and before Octo-*  
 10 *ber 1, 2003)”.*

11 *(b) CONFORMING AMENDMENT.—Section 547(c)(2) of*  
 12 *the Medicare, Medicaid, and SCHIP Benefits Improvement*  
 13 *and Protection Act of 2000 (114 Stat. 2763A–553), as en-*  
 14 *acted into law by section 1(a)(6) of Public Law 106–554,*  
 15 *is amended by striking “the period beginning on April 1,*  
 16 *2001, and ending on September 30, 2002,” and inserting*  
 17 *“a period under such section”.*

18 *SEC. 405. Section 136 of Public Law 107–229, as*  
 19 *added by section 5 of Public Law 107–240, is amended by*  
 20 *striking “60 days after the date specified in section 107(c)*  
 21 *of Public Law 107–229, as amended” and inserting “Sep-*  
 22 *tember 30, 2003”.*

23 *TITLE V—FISHERIES DISASTERS*

24 *SEC. 501. FISHERIES DISASTERS.—In addition to*  
 25 *amounts appropriated or otherwise made available,*



1 \$100,000,000 is appropriated to the Department of Com-  
2 merce for fisheries disaster assistance. Not more than 5  
3 percent of such funds may be used for administrative ex-  
4 penses, and no funds may be used for lobbying activities  
5 or representational expenses.

6 (a) WESTERN PACIFIC AND NORTH PACIFIC.—  
7 \$5,000,000 shall be made available as a direct lump sum  
8 payment to the State of Hawaii for economic assistance to  
9 fisheries affected by federal closures or fishing restrictions  
10 and \$35,000,000 shall be made available as a direct lump  
11 sum payment to the State of Alaska no later than 30 days  
12 after the date of enactment of this Act to make payments  
13 to persons or entities which have experienced significant  
14 economic hardship. Funds in Alaska shall be used to pro-  
15 vide (A) personal assistance with priority given to food, en-  
16 ergy needs, housing assistance, transportation fuel includ-  
17 ing subsistence activities, and other urgent needs; (B) as-  
18 sistance for small businesses including fishermen, fish proc-  
19 essors, and related businesses serving the fishing industry;  
20 (C) and assistance for local and borough governments ad-  
21 versely affected by reductions in fish landing fees and other  
22 fishing-related revenue; and (D) product development and  
23 marketing.

24 (b) NORTHEAST AND WEST COAST.—\$10,000,000 shall  
25 be made available to conduct a voluntary fishing capacity

1 *reduction program in the Northeast multispecies fishery*  
2 *and \$10,000,000 shall be made available to conduct a vol-*  
3 *untary fishing capacity reduction program in the West*  
4 *Coast groundfish fishery. Such sums shall supplement the*  
5 *voluntary capacity reduction program authorized for the*  
6 *fishery in Sec. 211 of Public Law 107–206 and be consistent*  
7 *with section 312(b) of the Magnuson-Stevens Fishery Con-*  
8 *servation and Management Act and the requirements relat-*  
9 *ing to the capacity program in section 211 of Public Law*  
10 *107–206 that shall—*

11           (1) *permanently revoke all fishery licenses, fish-*  
12 *ery permits, area and species endorsements, and any*  
13 *other fishery privileges issued to a vessel or vessels (or*  
14 *to persons on the basis of their operation or owner-*  
15 *ship of that vessel or vessels) removed under the pro-*  
16 *gram; and*

17           (2) *ensure that vessels removed under the pro-*  
18 *gram are made permanently ineligible to participate*  
19 *in any fishery worldwide, and that the owners of such*  
20 *vessels will operate only under the United States flag*  
21 *or be scrapped as a reduction vessel pursuant to sec-*  
22 *tion 600.1011(c) of title 50, Code of Federal Regula-*  
23 *tions.*

24           (c) *GULF AND SOUTH ATLANTIC.—*

1           (1) \$17,500,000 shall be made available for as-  
2           sistance to the shrimp industries in the states of  
3           South Carolina, Georgia, North Carolina, and Flor-  
4           ida in proportion to the percentage of the shrimp  
5           catch landed by each state for economic assistance to  
6           the South Atlantic shrimp fishery: Provided, That the  
7           State of Florida shall receive only that proportion as-  
8           sociated with landings of the Florida east coast fish-  
9           ery; and

10          (2) \$17,500,000 shall be made available for as-  
11          sistance to the shrimp industries in the states of Mis-  
12          sissippi, Texas, Alabama, Louisiana, and Florida in  
13          proportion to the percentage of the shrimp catch land-  
14          ed by each state for economic assistance to the Gulf  
15          shrimp fishery: Provided, That the State of Florida  
16          shall receive only that proportion associated with  
17          landings of the Florida gulf coast fishery. Provided  
18          further, That 2 percent of funds received by each state  
19          shall be retained by the state for distribution of addi-  
20          tional payments to fishermen with a demonstrated  
21          record of compliance with turtle excluder and bycatch  
22          reduction device regulations, and that the remainder  
23          of the funds may be used only for: (A) personal assist-  
24          ance with priority given to food, energy needs, hous-  
25          ing assistance, transportation fuel, and other urgent

1        *needs; (B) assistance for small businesses including*  
2        *fishermen, fish processors, and related businesses serv-*  
3        *ing the fishing industry; (C) domestic product mar-*  
4        *keting and seafood promotion; (D) state seafood test-*  
5        *ing programs; (E) development of limited entry pro-*  
6        *grams for the fishery; (F) funding or other incentives*  
7        *to ensure widespread and proper use of turtle excluder*  
8        *devices and bycatch reduction devices in the fishery;*  
9        *and (G) voluntary capacity reduction programs for*  
10       *shrimp fisheries under limited access.*

11       *(d) BLUE CRAB FISHERY.—\$5,000,000 shall be made*  
12       *available for assistance to blue crab fisheries affected by re-*  
13       *duced harvests and sales of blue crab in proportion to the*  
14       *amount of the catch landed by each state, Provided, That*  
15       *such funds may be used only for: (A) personal assistance*  
16       *with priority given to food, energy needs, housing assist-*  
17       *ance, transportation fuel, and other urgent needs; (B) as-*  
18       *sistance for small businesses including fishermen, fish proc-*  
19       *essors, and related businesses serving the fishing industry;*  
20       *(C) domestic product marketing and seafood promotion;*  
21       *and (D) state seafood testing programs: Provided further,*  
22       *That the Secretary of Commerce, in consultation with the*  
23       *Commandant of the Coast Guard, shall provide coordi-*  
24       *nated, enhanced and routine support for fisheries moni-*  
25       *toring and enforcement through use of remote sensing, air-*

1 *craft and communications assets, with particular emphasis*  
2 *on federal waters seaward of the coasts of South Carolina*  
3 *and Georgia, including the Charleston Bump closed area.*

4 *TITLE VI—OFFSETS*

5 *SEC. 601. (a) ACROSS-THE-BOARD RESCISSIONS.—*

6 *There is hereby rescinded an amount equal to 1.6 percent*  
7 *of—*

8 *(1) the budget authority provided for fiscal year*  
9 *2003 for any discretionary account in divisions A*  
10 *through K of this joint resolution; and*

11 *(2) the budget authority provided in any ad-*  
12 *vance appropriation for fiscal year 2003 for any dis-*  
13 *cretionary account in any prior fiscal year appro-*  
14 *priations Act.*

15 *(b) PROPORTIONATE APPLICATION.—Any rescission*  
16 *made by subsection (a) shall be applied proportionately—*

17 *(1) to each discretionary account and each item*  
18 *of budget authority described in subsection (a); and*

19 *(2) within each such account and item, to each*  
20 *program, project, and activity (with programs,*  
21 *projects, and activities as delineated in the appro-*  
22 *priation Act or accompanying reports for the relevant*  
23 *fiscal year covering such account or item, or for ac-*  
24 *counts and items not included in appropriation Acts,*

1     *as delineated in the most recently submitted Presi-*  
2     *dent's budget).*

Attest:

*Secretary.*

108TH CONGRESS  
1ST SESSION

**H. J. RES. 2**

---

---

**AMENDMENT**