

108TH CONGRESS  
1ST SESSION

# H. R. 2989

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2003

Ordered to be printed with the amendment of the Senate

[Strike out all after the enacting clause and insert the part printed in italic]

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## AN ACT

Making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 ~~That the following sums are appropriated, out of any~~  
4 ~~money in the Treasury not otherwise appropriated, for the~~  
5 ~~Departments of Transportation and Treasury and inde-~~  
6 ~~pendent agencies for the fiscal year ending September 30,~~  
7 ~~2004, and for other purposes, namely:~~

1 TITLE I  
2 DEPARTMENT OF TRANSPORTATION  
3 OFFICE OF THE SECRETARY  
4 SALARIES AND EXPENSES  
5 For necessary expenses of the Office of the Secretary,  
6 \$93,577,000 (increased by \$500,000), of which not to ex-  
7 ceed \$2,212,000 shall be available for the immediate Of-  
8 fice of the Secretary; not to exceed \$841,000 shall be  
9 available for the immediate Office of the Deputy Sec-  
10 retary; not to exceed \$15,560,000 shall be available for  
11 the Office of the General Counsel; not to exceed  
12 \$12,717,000 shall be available for the Office of the Under  
13 Secretary of Transportation for Policy; not to exceed  
14 \$8,630,000 shall be available for the Office of the Assist-  
15 ant Secretary for Budget and Programs; not to exceed  
16 \$2,518,000 shall be available for the Office of the Assist-  
17 ant Secretary for Governmental Affairs; not to exceed  
18 \$28,882,000 shall be available for the Office of the Assist-  
19 ant Secretary for Administration; not to exceed  
20 \$1,982,000 shall be available for the Office of Public Af-  
21 fairs; not to exceed \$1,447,000 shall be available for the  
22 Office of the Executive Secretariat; not to exceed  
23 \$730,000 shall be available for the Board of Contract Ap-  
24 peals; not to exceed \$1,268,000 shall be available for the  
25 Office of Small and Disadvantaged Business Utilization;

1 not to exceed \$14,565,000 shall be available for the Office  
2 of the Chief Information Officer; and not to exceed  
3 \$2,000,000 shall be available for the Office of Intelligence  
4 and Security: *Provided*, That the Secretary of Transpor-  
5 tation is authorized to transfer funds appropriated for any  
6 office of the Office of the Secretary to any other office  
7 of the Office of the Secretary: *Provided further*, That no  
8 appropriation for any office shall be increased or de-  
9 creased by more than 5 percent by all such transfers: *Pro-*  
10 *vided further*, That any change in funding greater than  
11 5 percent shall be submitted for approval to the House  
12 and Senate Committees on Appropriations: *Provided fur-*  
13 *ther*, That not to exceed \$60,000 shall be for allocation  
14 within the Department for official reception and represen-  
15 tation expenses as the Secretary may determine: *Provided*  
16 *further*, That notwithstanding any other provision of law,  
17 excluding fees authorized in Public Law 107-71, there  
18 may be credited to this appropriation up to \$2,500,000  
19 in funds received in user fees: *Provided further*, That none  
20 of the funds provided in this Act shall be available for  
21 the position of Assistant Secretary for Public Affairs.

#### 22 OFFICE OF CIVIL RIGHTS

23 For necessary expenses of the Office of Civil Rights,  
24 \$8,569,000.

1           TRANSPORTATION PLANNING, RESEARCH, AND  
2    DEVELOPMENT

3           For necessary expenses for conducting transportation  
4 planning, research, systems development, activities, and  
5 making grants, to remain available until expended,  
6 \$8,336,000.

7   WORKING CAPITAL FUND

8           Necessary expenses for operating costs and capital  
9 outlays of the Working Capital Fund, not to exceed  
10 \$116,715,000, shall be paid from appropriations made  
11 available to the Department of Transportation: *Provided,*  
12 *That such services shall be provided on a competitive basis*  
13 *to entities within the Department of Transportation: Pro-*  
14 *vided further, That the above limitation on operating ex-*  
15 *penses shall not apply to non-DOT entities: Provided fur-*  
16 *ther, That no funds appropriated in this Act to an agency*  
17 *of the Department shall be transferred to the Working*  
18 *Capital Fund without the approval of the agency modal*  
19 *administrator: Provided further, That no assessments may*  
20 *be levied against any program, budget activity, subactivity*  
21 *or project funded by this Act unless notice of such assess-*  
22 *ments and the basis therefor are presented to the House*  
23 *and Senate Committees on Appropriations and are ap-*  
24 *proved by such Committees.*

## 1       MINORITY BUSINESS RESOURCE CENTER PROGRAM

2           For the cost of guaranteed loans, \$500,000, as au-  
3 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-  
4 cluding the cost of modifying such loans, shall be as de-  
5 fined in section 502 of the Congressional Budget Act of  
6 1974: *Provided further*, That these funds are available to  
7 subsidize total loan principal, any part of which is to be  
8 guaranteed, not to exceed \$18,367,000. In addition, for  
9 administrative expenses to carry out the guaranteed loan  
10 program, \$400,000.

## 11                       MINORITY BUSINESS OUTREACH

12           For necessary expenses of Minority Business Re-  
13 source Center outreach activities, \$3,000,000, to remain  
14 available until September 30, 2005: *Provided*, That not-  
15 withstanding 49 U.S.C. 332, these funds may be used for  
16 business opportunities related to any mode of transpor-  
17 tation.

## 18                       NEW HEADQUARTERS BUILDING

19           For necessary expenses of the Department of Trans-  
20 portation's new headquarters building and related serv-  
21 ices, \$45,000,000, to remain available until expended.

## 22                       FEDERAL AVIATION ADMINISTRATION

## 23                                       OPERATIONS

24           For necessary expenses of the Federal Aviation Ad-  
25 ministration, not otherwise provided for, including oper-

1 ations and research activities related to commercial space  
2 transportation, administrative expenses for research and  
3 development, establishment of air navigation facilities, the  
4 operation (including leasing) and maintenance of aircraft,  
5 subsidizing the cost of aeronautical charts and maps sold  
6 to the public, lease or purchase of passenger motor vehi-  
7 cles for replacement only, in addition to amounts made  
8 available by Public Law 104-264, \$7,532,000,000, of  
9 which \$4,043,000,000 shall be derived from the Airport  
10 and Airway Trust Fund, of which not to exceed  
11 \$6,076,724,000 shall be available for air traffic services  
12 program activities; not to exceed \$870,505,000 shall be  
13 available for aviation regulation and certification program  
14 activities; not to exceed \$218,481,000 shall be available  
15 for research and acquisition program activities; not to ex-  
16 ceed \$11,776,000 shall be available for commercial space  
17 transportation program activities; not to exceed  
18 \$49,783,000 shall be available for financial services pro-  
19 gram activities; not to exceed \$75,367,000 shall be avail-  
20 able for human resources program activities; not to exceed  
21 \$87,749,000 shall be available for regional coordination  
22 program activities; not to exceed \$140,429,000 shall be  
23 available for staff offices; and not to exceed \$29,681,000  
24 shall be available for information services: *Provided*, That  
25 none of the funds in this Act shall be available for the

1 Federal Aviation Administration to finalize or implement  
2 any regulation that would promulgate new aviation user  
3 fees not specifically authorized by law after the date of  
4 the enactment of this Act: *Provided further*, That there  
5 may be credited to this appropriation funds received from  
6 States, counties, municipalities, foreign authorities, other  
7 public authorities, and private sources, for expenses in-  
8 curred in the provision of agency services, including re-  
9 ceipts for the maintenance and operation of air navigation  
10 facilities, and for issuance, renewal or modification of cer-  
11 tificates, including airman, aircraft, and repair station cer-  
12 tificates, or for tests related thereto, or for processing  
13 major repair or alteration forms: *Provided further*, That  
14 of the funds appropriated under this heading, not less  
15 than \$7,500,000 shall be for the contract tower cost-shar-  
16 ing program: *Provided further*, That funds may be used  
17 to enter into a grant agreement with a nonprofit standard-  
18 setting organization to assist in the development of avia-  
19 tion safety standards: *Provided further*, That none of the  
20 funds in this Act shall be available for new applicants for  
21 the second career training program: *Provided further*,  
22 That none of the funds in this Act shall be available for  
23 paying premium pay under 5 U.S.C. 5546(a) to any Fed-  
24 eral Aviation Administration employee unless such em-  
25 ployee actually performed work during the time cor-

1 responding to such premium pay: *Provided further*, That  
2 none of the funds in this Act may be obligated or expended  
3 to operate a manned auxiliary flight service station in the  
4 contiguous United States: *Provided further*, That none of  
5 the funds in this Act for aeronautical charting and cartog-  
6 raphy are available for activities conducted by, or coordi-  
7 nated through, the Working Capital Fund: *Provided fur-*  
8 *ther*, That of the amount appropriated under this heading,  
9 not to exceed \$50,000 may be transferred to the Aircraft  
10 Loan Purchase Guarantee Program: *Provided further*,  
11 That not later than March 1, 2004, the Secretary of  
12 Transportation, in consultation with the Administrator of  
13 the Federal Aviation Administration, shall issue final reg-  
14 ulations, pursuant to 5 U.S.C. 8335, establishing an ex-  
15 emption process allowing individual air traffic controllers  
16 to delay mandatory retirement until the employee reaches  
17 no later than 61 years of age: *Provided further*, That of  
18 the funds provided under this heading, \$4,000,000 is  
19 available only for recruitment, personnel compensation  
20 and benefits, and related costs to raise the level of oper-  
21 ational air traffic control supervisors to the level of 1,726:  
22 *Provided further*, That none of the funds in this Act may  
23 be obligated or expended to execute or continue to imple-  
24 ment a memorandum of understanding or memorandum  
25 of agreement (or any revisions thereto) with representa-



1 tives of any FAA bargaining unit unless such document  
2 is filed in a central registry and catalogued in an auto-  
3 mated, searchable database under the executive direction  
4 of appropriate management representatives at FAA head-  
5 quarters: *Provided further*, That none of the funds in this  
6 Act may be obligated or expended for an employee of the  
7 Federal Aviation Administration to purchase a store gift  
8 card or gift certificate through use of a Government-issued  
9 credit card.

#### 10 FACILITIES AND EQUIPMENT

11 (AIRPORT AND AIRWAY TRUST FUND)

12 For necessary expenses, not otherwise provided for,  
13 for acquisition, establishment, technical support services,  
14 improvement by contract or purchase, and hire of air navi-  
15 gation and experimental facilities and equipment, as au-  
16 thorized under part A of subtitle VII of title 49, United  
17 States Code, including initial acquisition of necessary sites  
18 by lease or grant; engineering and service testing, includ-  
19 ing construction of test facilities and acquisition of nec-  
20 essary sites by lease or grant; construction and furnishing  
21 of quarters and related accommodations for officers and  
22 employees of the Federal Aviation Administration sta-  
23 tioned at remote localities where such accommodations are  
24 not available; and the purchase, lease, or transfer of air-  
25 craft from funds available under this heading; to be de-

1 rived from the Airport and Airway Trust Fund,  
2 \$2,900,000,000 (reduced by \$2,000,000) (increased by  
3 \$2,000,000), of which \$2,479,158,800 shall remain avail-  
4 able until September 30, 2006, and of which  
5 \$420,841,200 shall remain available until September 30,  
6 2004: *Provided*, That there may be credited to this appro-  
7 priation funds received from States, counties, municipali-  
8 ties, other public authorities, and private sources, for ex-  
9 penses incurred in the establishment and modernization  
10 of air navigation facilities: *Provided further*, That upon ini-  
11 tial submission to the Congress of the fiscal year 2005  
12 President's budget, the Secretary of Transportation shall  
13 transmit to the Congress a comprehensive capital invest-  
14 ment plan for the Federal Aviation Administration which  
15 includes funding for each budget line item for fiscal years  
16 2005 through 2009, with total funding for each year of  
17 the plan constrained to the funding targets for those years  
18 as estimated and approved by the Office of Management  
19 and Budget: *Provided further*, That of the funds provided  
20 for "In-plant NAS contract support services", \$7,000,000  
21 is only for contract audit services provided by the Defense  
22 Contract Audit Agency: *Provided further*, That of the  
23 funds provided under this heading, \$20,000,000 is avail-  
24 able only for the Houston Area Air Traffic System: *Pro-*  
25 *vided further*, That none of the funds in this Act may be

1 obligated or expended to implement section 106 of H.R.  
2 2115, as passed the House of Representatives on June 12,  
3 2003.

4 RESEARCH, ENGINEERING, AND DEVELOPMENT

5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses, not otherwise provided for,  
7 for research, engineering, and development, as authorized  
8 under part A of subtitle VII of title 49, United States  
9 Code, including construction of experimental facilities and  
10 acquisition of necessary sites by lease or grant,  
11 \$108,000,000, to be derived from the Airport and Airway  
12 Trust Fund and to remain available until September 30,  
13 2006: *Provided*, That there may be credited to this appro-  
14 priation funds received from States, counties, municipali-  
15 ties, other public authorities, and private sources, for ex-  
16 penses incurred for research, engineering, and develop-  
17 ment.

18 GENERAL PROVISIONS—FEDERAL AVIATION

19 ADMINISTRATION

20 SEC. 101. Notwithstanding any other provision of  
21 law, airports may transfer, without consideration, to the  
22 Federal Aviation Administration (FAA) instrument land-  
23 ing systems (along with associated approach lighting  
24 equipment and runway visual range equipment) which  
25 conform to FAA design and performance specifications,

1 the purchase of which was assisted by a Federal airport-  
2 aid program, airport development aid program or airport  
3 improvement program grant: *Provided, That,* the Federal  
4 Aviation Administration shall accept such equipment,  
5 which shall thereafter be operated and maintained by FAA  
6 in accordance with agency criteria.

7       SEC. 102. None of the funds in this Act may be used  
8 to compensate in excess of 350 technical staff-years under  
9 the federally funded research and development center con-  
10 tract between the Federal Aviation Administration and the  
11 Center for Advanced Aviation Systems Development dur-  
12 ing fiscal year 2004.

13       SEC. 103. None of the funds made available in this  
14 Act may be used for engineering work related to an addi-  
15 tional runway at Louis Armstrong New Orleans Inter-  
16 national Airport.

17       SEC. 104. None of the funds in this Act shall be used  
18 to pursue or adopt guidelines or regulations requiring air-  
19 port sponsors to provide to the Federal Aviation Adminis-  
20 tration without cost building construction, maintenance,  
21 utilities and expenses, or space in airport sponsor-owned  
22 buildings for services relating to air traffic control, air  
23 navigation, or weather reporting: *Provided, That* the pro-  
24 hibition of funds in this section does not apply to negotia-  
25 tions between the agency and airport sponsors to achieve

1 agreement on “below-market” rates for these items or to  
2 grant assurances that require airport sponsors to provide  
3 land without cost to the FAA for air traffic control facili-  
4 ties.

5       SEC. 105. None of the funds appropriated or limited  
6 by this Act may be used to change weight restrictions or  
7 prior permission rules at Teterboro Airport in Teterboro,  
8 New Jersey.

9       SEC. 106. Notwithstanding any other provision of  
10 law, funds appropriated for official travel by Federal de-  
11 partments and agencies may be used by such departments  
12 and agencies, if consistent with Office of Management and  
13 Budget circular A-126 regarding official travel for Gov-  
14 ernment personnel, to participate in the fractional aircraft  
15 ownership pilot program.

## 16       FEDERAL HIGHWAY ADMINISTRATION

### 17       LIMITATION ON ADMINISTRATIVE EXPENSES

18       Necessary expenses for administration and operation  
19 of the Federal Highway Administration, not to exceed  
20 \$359,458,000, shall be paid in accordance with law from  
21 appropriations made available by this Act to the Federal  
22 Highway Administration together with advances and reim-  
23 bursements received by the Federal Highway Administra-  
24 tion.

## 1 FEDERAL-AID HIGHWAYS

2 (LIMITATION ON OBLIGATIONS)

3 (HIGHWAY TRUST FUND)

4 None of the funds in this Act shall be available for  
5 the implementation or execution of programs, the obliga-  
6 tions for which are in excess of \$33,385,000,000 for Fed-  
7 eral-aid highways and highway safety construction pro-  
8 grams for fiscal year 2004. *Provided*, That within the  
9 \$33,385,000,000 obligation limitation on Federal-aid  
10 highways and highway safety construction programs, not  
11 more than \$462,500,000 shall be available for the imple-  
12 mentation or execution of programs for transportation re-  
13 search (sections 502, 503, 504, 506, 507, and 508 of title  
14 23, United States Code, as amended; section 5505 of title  
15 49, United States Code, as amended; and sections 5112  
16 and 5204–5209 of Public Law 105–178) for fiscal year  
17 2004. *Provided further*, That this limitation on transpor-  
18 tation research programs shall not apply to any authority  
19 previously made available for obligation.

## 20 FEDERAL-AID HIGHWAYS

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (HIGHWAY TRUST FUND)

23 For carrying out the provisions of title 23, United  
24 States Code, that are attributable to Federal-aid high-  
25 ways, including the National Scenic and Recreational  
26 Highway as authorized by 23 U.S.C. 148, not otherwise

1 provided, including reimbursement for sums expended  
 2 pursuant to the provisions of ~~23~~ U.S.C. 308,  
 3 ~~\$34,000,000,000~~ or so much thereof as may be available  
 4 in and derived from the Highway Trust Fund, to remain  
 5 available until expended.

6 ~~FEDERAL-AID HIGHWAYS~~

7 ~~(HIGHWAY TRUST FUND)~~

8 For an additional amount for Federal-aid highways  
 9 and highway safety construction programs pursuant to  
 10 title ~~23~~, United States Code, \$400,000,000, to be derived  
 11 from the Highway Trust Fund (other than the Mass Tran-  
 12 sit Account) and to remain available until expended: *Pro-*  
 13 *vided*, That amounts under this heading shall be distrib-  
 14 uted in the same manner as if made available under ~~23~~  
 15 U.S.C. 110: *Provided further*, That the amounts under this  
 16 heading shall not be subject to, or computed against, any  
 17 obligation limitation or contract authority set forth in this  
 18 Act or any other Act: *Provided further*, That, before such  
 19 allocation and distribution are made, \$133,450,000 shall  
 20 be retained for surface transportation projects.

21 ~~GENERAL PROVISIONS—FEDERAL HIGHWAY~~

22 ~~ADMINISTRATION~~

23 SEC. 110. Notwithstanding ~~31~~ U.S.C. 3302, funds re-  
 24 ceived by the Bureau of Transportation Statistics from the  
 25 sale of data products, for necessary expenses incurred pur-

1 suant to 49 U.S.C. 111 may be credited to the Federal-  
2 aid highways account for the purpose of reimbursing the  
3 Bureau for such expenses: *Provided*, That such funds shall  
4 be subject to the obligation limitation for Federal-aid  
5 highways and highway safety construction.

6 SEC. 111. Notwithstanding any other provision of  
7 law:

8 (1) Section 1105(e) of the Intermodal Surface  
9 Transportation Efficiency Act of 1991 (105 Stat.  
10 2032; 112 Stat. 191; 115 Stat. 871) is amended—

11 (A) in paragraph (42), by striking “Ful-  
12 ton, Mississippi,” the first time that it appears  
13 and all that follows to the end of the paragraph  
14 and inserting “Fulton, Mississippi.”; and

15 (B) by adding at the end the following:

16 “(45) The United States Route 78 Corridor  
17 from Memphis, Tennessee, to Corridor X of the Ap-  
18 palachian development highway system near Fulton,  
19 Mississippi, and Corridor X of the Appalachian de-  
20 velopment highway system extending from near Ful-  
21 ton, Mississippi, to near Birmingham, Alabama.”.

22 (2) Section 1105(e)(5) of the Intermodal Sur-  
23 face Transportation Efficiency Act of 1991 (105  
24 Stat. 2032; 115 Stat. 872) is amended—



1           (A) in subparagraph (A) by striking “(A)  
2           IN GENERAL.—The portions” and all that fol-  
3           lows through the end of the first sentence and  
4           inserting:

5           “(A) IN GENERAL.—The portions of the  
6           routes referred to in subsection (e)(1), sub-  
7           section (e)(3) (relating solely to the Kentucky  
8           Corridor), clauses (i), (ii), and (except with re-  
9           spect to Georgetown County) (iii) of subsection  
10          (e)(5)(B), subsection (e)(9), subsections (e)(18)  
11          and (e)(20), subsection (e)(36), subsection  
12          (e)(37), subsection (e)(40), subsection (e)(42),  
13          and subsection (e)(45) that are not a part of  
14          the Interstate System are designated as future  
15          parts of the Interstate System.”; and

16          (B) by adding the following at the end of  
17          subparagraph (B)(i): “The route referred to in  
18          subsection (e)(45) is designated as Interstate  
19          Route I-22.”.

20          SEC. 112. Notwithstanding any other provision of  
21          law, in section 1602 of the Transportation Equity Act for  
22          the 21st Century—

23                 (1) item number 230 is amended by striking  
24                 “Monroe County transportation improvements on  
25                 Long Pond Road, Pattonwood Road, and Lyell

1 road” and inserting “Route 531/Brockport-Rochester Corridor in Monroe County, New York”.

2  
3 (2) Item number 1149 is amended by striking  
4 “Traffic Mitigation Project on William Street and  
5 Losson Road in Cheektowaga” and inserting “Study  
6 and implement mitigation and diversion options for  
7 William Street and Broadway Street in  
8 Cheektowaga, I-90 Corridor Study; Interchange 53  
9 to Interchange 49, PIN 552830 and Cheektowaga  
10 Rails to Trails, PIN 575508”.

11 (3) Item number 476 is amended by striking  
12 “Expand Perkins Road in Baton Rouge” and insert-  
13 ing “Feasibility study, design, and construction of a  
14 connector between Louisiana Highway 1026 and I-  
15 12 in Livingston Parish”.

16 (4) Item 4 of the table contained in section  
17 1602 of the Transportation Equity Act for the 21st  
18 Century, relating to construction of a bike path in  
19 Michigan, is amended by striking “between Mount  
20 Clemens and New Baltimore” and inserting “for the  
21 Macomb Orchard Trail in Macomb County”.

22 SEC. 113. Intelligent Transportation Systems appro-  
23 priations made to the State of Wisconsin in Public Law  
24 105-277, Public Law 106-69, and Public Law 107-87

1 shall not be subject to the limitations of Public Law 105-  
2 178, section 5208(d), 23 U.S.C. 502 note.

3       SEC. 114. Notwithstanding Public Law 105-178, sec-  
4 tion 5208(d), Intelligent Transportation Systems appro-  
5 priations for—

6           (1) Wausau-Stevens Point-Wisconsin Rapids,  
7 Wisconsin, in Public Law 105-277 and Public Law  
8 106-69 shall be available for use in the counties of  
9 Ashland, Barron, Bayfield, Burnett, Chippewa,  
10 Douglas, Iron, Lincoln, Marathon, Polk, Portage,  
11 Price, Rusk, Sawyer, Taylor, Washburn, Wood,  
12 Clark, Langlade, and Oneida; and

13           (2) the City of Superior and Douglas County,  
14 Wisconsin, in Public Law 106-69 shall be available  
15 for use in the City of Superior and northern Wis-  
16 consin.

17       SEC. 115. Notwithstanding any other provision of  
18 law, for the purpose of assisting in the development, con-  
19 struction and financing of additional improvements to the  
20 Alameda Corridor, including construction of a truck ex-  
21 pressway or other enhancements, the Secretary of Trans-  
22 portation shall modify the loan agreement entered into  
23 with the Alameda Corridor Transportation Authority pur-  
24 suant to Public Law 104-208 to revise the interest rate  
25 to equal the average yield, as of the date of modification

1 of the loan agreement, on marketable Treasury securities  
2 of similar maturity to the expected remaining average life  
3 of the loan.

4       SEC. 116. (a) IN GENERAL.—As soon as practicable  
5 after the date of enactment of this Act, the Secretary of  
6 Transportation shall enter into an agreement with the  
7 State of Nevada, the State of Arizona, or both, to provide  
8 a method of funding for construction of a Hoover Dam  
9 Bypass Bridge from funds allocated for the Federal Lands  
10 Highway Program under section 202(b) of title 23, United  
11 States Code.

12       (b) METHODS OF FUNDING.—

13           (1) The agreement entered into under sub-  
14 section (a) shall provide for funding in a manner  
15 consistent with the advance construction and debt  
16 instrument financing procedures for Federal-aid  
17 highways set forth in section 115 and 122 of title  
18 23, except that the funding source may include  
19 funds made available under the Federal Lands  
20 Highway Program.

21           (2) Eligibility for funding under this subsection  
22 shall not be construed as a commitment, guarantee,  
23 or obligation on the part of the United States to  
24 provide for payment of principal or interest of an eli-  
25 gible debt financing instrument as so defined in sec-

1       tion ~~122~~, nor create a right of a third party against  
 2       the United States for payment under an eligible debt  
 3       financing instrument. The agreement entered into  
 4       pursuant to subsection (a) shall make specific ref-  
 5       erence to this provision of law.

6             ~~(3)~~ The provisions of this section do not limit  
 7       the use of other available funds for which the project  
 8       referenced in subsection (a) is eligible.

9             FEDERAL MOTOR CARRIER SAFETY

10            ADMINISTRATION

11            MOTOR CARRIER SAFETY

12            ~~(LIMITATION ON ADMINISTRATIVE EXPENSES)~~

13            ~~(HIGHWAY TRUST FUND)~~

14       For necessary expenses for administration of motor  
 15       carrier safety programs and motor carrier safety research,  
 16       pursuant to section ~~104(a)(1)(B)~~ of title ~~23~~, United States  
 17       Code, not to exceed \$~~236,753,000~~ shall be paid in accord-  
 18       ance with law from appropriations made available by this  
 19       Act and from any available take-down balances to the Fed-  
 20       eral Motor Carrier Safety Administration, together with  
 21       advances and reimbursements received by the Federal  
 22       Motor Carrier Safety Administration: *Provided*, That such  
 23       amounts shall be available to carry out the functions and  
 24       operations of the Federal Motor Carrier Safety Adminis-  
 25       tration.

1 NATIONAL MOTOR CARRIER SAFETY PROGRAM  
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
3 (LIMITATION ON OBLIGATIONS)  
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out  
6 49 U.S.C. 31102, 31106 and 31309, \$190,000,000, to be  
7 derived from the Highway Trust Fund and to remain  
8 available until expended: *Provided*, That none of the funds  
9 in this Act shall be available for the implementation or  
10 execution of programs the obligations for which are in ex-  
11 cess of \$190,000,000 for “Motor Carrier Safety Grants”  
12 and “Information Systems”.

13 GENERAL PROVISIONS—FEDERAL MOTOR CARRIER  
14 SAFETY ADMINISTRATION

15 SEC. 130. None of the funds appropriated, limited,  
16 or made available in this Act shall be used to implement  
17 or enforce any provision of the Final Rule issued on April  
18 16, 2003 (Docket No. FMCSA-97-2350) as it applies to  
19 operators of utility service vehicles as defined in 49 CFR  
20 section 395.2.

21 SEC. 131. Funds appropriated or limited in this Act  
22 shall be subject to the terms and conditions stipulated in  
23 section 350 of Public Law 107-87, including that the Sec-  
24 retary submit a report to the House and Senate Appro-  
25 priations Committees annually on the safety and security

1 of transportation into the United States by Mexico-domi-  
 2 ciled motor carriers.

3           NATIONAL HIGHWAY TRAFFIC SAFETY

4                           ADMINISTRATION

5                                   OPERATIONS AND RESEARCH

6           For expenses necessary to discharge the functions of  
 7 the Secretary, with respect to traffic and highway safety  
 8 under chapter 301 of title 49, United States Code, and  
 9 part C of subtitle VI of title 49, United States Code,  
 10 \$206,178,000, of which \$171,110,000 shall remain avail-  
 11 able until September 30, 2006: *Provided*, That none of the  
 12 funds appropriated by this Act may be obligated or ex-  
 13 pended to plan, finalize, or implement any rulemaking to  
 14 add to section 575.104 of title 49 of the Code of Federal  
 15 Regulations any requirement pertaining to a grading  
 16 standard that is different from the three grading stand-  
 17 ards (treadwear, traction, and temperature resistance) al-  
 18 ready in effect.

19                                   OPERATIONS AND RESEARCH

20                   (LIQUIDATION OF CONTRACT AUTHORIZATION)

21                           (LIMITATION ON OBLIGATIONS)

22                                   (HIGHWAY TRUST FUND)

23           For payment of obligations incurred in carrying out  
 24 the provisions of 23 U.S.C. 403, to remain available until  
 25 expended, \$72,000,000, to be derived from the Highway  
 26 Trust Fund: *Provided*, That none of the funds in this Act

1 shall be available for the planning or execution of pro-  
2 grams the total obligations for which, in fiscal year 2004,  
3 are in excess of \$72,000,000 for programs authorized  
4 under ~~23~~ U.S.C. 403.

5 NATIONAL DRIVER REGISTER

6 (~~HIGHWAY TRUST FUND~~)

7 For expenses necessary to discharge the functions of  
8 the Secretary with respect to the National Driver Register  
9 under chapter ~~303~~ of title 49, United States Code,  
10 \$~~3,600,000~~, to be derived from the Highway Trust Fund,  
11 and to remain available until expended.

12 HIGHWAY TRAFFIC SAFETY GRANTS

13 (~~LIQUIDATION OF CONTRACT AUTHORIZATION~~)

14 (~~LIMITATION ON OBLIGATIONS~~)

15 (~~HIGHWAY TRUST FUND~~)

16 For payment of obligations incurred in carrying out  
17 the provisions of ~~23~~ U.S.C. 402, 405, and 410, to remain  
18 available until expended, \$~~225,000,000~~, to be derived from  
19 the Highway Trust Fund: *Provided*, That none of the  
20 funds in this Act shall be available for the planning or  
21 execution of programs the total obligations for which, in  
22 fiscal year 2004, are in excess of \$~~225,000,000~~ for pro-  
23 grams authorized under ~~23~~ U.S.C. 402, 405, and 410, of  
24 which \$~~165,000,000~~ shall be for “Highway Safety Pro-  
25 grams” under ~~23~~ U.S.C. 402, \$~~20,000,000~~ shall be for  
26 “Occupant Protection Incentive Grants” under ~~23~~ U.S.C.



1 405, and \$40,000,000 shall be for “Alcohol-Impaired  
 2 Driving Countermeasures Grants” under 23 U.S.C. 410:  
 3 *Provided further*, That none of these funds shall be used  
 4 for construction, rehabilitation, or remodeling costs, or for  
 5 office furnishings and fixtures for State, local, or private  
 6 buildings or structures: *Provided further*, That not to ex-  
 7 ceed \$8,150,000 of the funds made available for section  
 8 402, not to exceed \$1,000,000 of the funds made available  
 9 for section 405, and not to exceed \$2,000,000 of the funds  
 10 made available for section 410 shall be available to  
 11 NHTSA for administering highway safety grants under  
 12 chapter 4 of title 23, United States Code: *Provided further*,  
 13 That not to exceed \$2,600,000 of the funds made available  
 14 for section 157, and \$2,600,000 of the funds made avail-  
 15 able for section 163, shall be available to NHTSA for ad-  
 16 ministering highway safety grants under chapter 1 of title  
 17 23, United States Code: *Provided further*, That not to ex-  
 18 ceed \$500,000 of the funds made available for section 410  
 19 “Alcohol-Impaired Driving Countermeasures Grants”  
 20 shall be available for technical assistance to the States.

21 GENERAL PROVISIONS—NATIONAL HIGHWAY TRAFFIC

22 SAFETY ADMINISTRATION

23 SEC. 140. Notwithstanding any other provision of  
 24 law, States may use funds provided in this Act under sec-  
 25 tion 402 of title 23, United States Code, to produce and

1 place highway safety public service messages in television;  
2 radio, cinema, and print media, and on the Internet in  
3 accordance with guidance issued by the Secretary of  
4 Transportation: *Provided*, That any state that uses funds  
5 for such public service messages shall submit to the Sec-  
6 retary and the House and Senate Committees on Appro-  
7 priations a report describing and assessing the effective-  
8 ness of the messages.

9       SEC. 141. None of the funds made available by this  
10 Act may be used for the purpose of enforcing compliance  
11 with 49 CFR section 579.24, promulgated by the National  
12 Highway Traffic Safety Administration in accordance with  
13 section 30166(m) of title 49, United States Code, with re-  
14 spect to trailers rated at 26,000 pounds or less gross vehi-  
15 cle weight.

## 16           FEDERAL RAILROAD ADMINISTRATION

### 17                       SAFETY AND OPERATIONS

18       For necessary expenses of the Federal Railroad Ad-  
19 ministration, not otherwise provided for, \$130,922,000, of  
20 which \$11,712,000 shall remain available until expended.

### 21                       RAILROAD RESEARCH AND DEVELOPMENT

22       For necessary expenses for railroad research and de-  
23 velopment, \$28,225,000, to remain available until ex-  
24 pended.

1 RAILROAD REHABILITATION AND IMPROVEMENT  
2 PROGRAM

3 (~~LIMITATION ON DIRECT LOANS AND LOAN GUARANTEES~~)

4 The Secretary of Transportation is authorized to  
5 issue to the Secretary of the Treasury notes or other obli-  
6 gations pursuant to section 512 of the Railroad Revitaliza-  
7 tion and Regulatory Reform Act of 1976 (Public Law 94-  
8 210), as amended, in such amounts and at such times as  
9 may be necessary to pay any amounts required pursuant  
10 to the guarantee of the principal amount of obligations  
11 under sections 511 through 513 of such Act, such author-  
12 ity to exist as long as any such guaranteed obligation is  
13 outstanding. *Provided*, That pursuant to section 502 of  
14 such Act, as amended, no new direct loans or loan guar-  
15 antee commitments shall be made using Federal funds for  
16 the credit risk premium during fiscal year 2004.

17 NEXT GENERATION HIGH-SPEED RAIL

18 For necessary expenses for the Next Generation  
19 High-Speed Rail program as authorized under 49 U.S.C.  
20 26101 and 26102, \$28,250,000, to remain available until  
21 expended.

22 GRANTS TO THE NATIONAL RAILROAD PASSENGER  
23 CORPORATION

24 To enable the Secretary of Transportation to make  
25 grants to the National Railroad Passenger Corporation,

1 ~~\$900,000,000~~, to remain available until September 30,  
2 2004, including ~~\$400,000,000~~ for quarterly grants for op-  
3 erating expenses, ~~\$373,000,000~~ for quarterly grants for  
4 capital expenses along the Northeast Corridor Mainline,  
5 and ~~\$127,000,000~~ for quarterly grants for general capital  
6 improvements: *Provided*, That the Secretary of Transpor-  
7 tation shall approve funding to cover operating losses and  
8 a long-distance train of the National Railroad Passenger  
9 Corporation only after receiving and reviewing a grant re-  
10 quest for each specific train route: *Provided further*, That  
11 each such grant request shall be accompanied by a de-  
12 tailed financial analysis and revenue projection justifying  
13 the Federal support to the Secretary's satisfaction: *Pro-*  
14 *vided further*, That the Secretary of Transportation and  
15 the Amtrak Board of Directors shall ensure that, of the  
16 amount made available under this heading, sufficient sums  
17 are reserved to satisfy the contractual obligations of the  
18 National Railroad Passenger Corporation for commuter  
19 and intercity passenger rail service: *Provided further*, That  
20 within 60 days of enactment of this Act but not later than  
21 October 1, 2003, Amtrak shall transmit to the Secretary  
22 of Transportation and the House and Senate Committees  
23 on Appropriations a business plan for operating and cap-  
24 ital improvements to be funded in fiscal year 2004 under  
25 section 24104(a) of title 49, United States Code: *Provided*

1 *further*, That the business plan shall include a description  
2 of the work to be funded, along with cost estimates and  
3 an estimated timetable for completion of the projects cov-  
4 ered by this business plan: *Provided further*, That not later  
5 than October 1, 2003 and each month thereafter, Amtrak  
6 shall submit to the Secretary of Transportation and the  
7 House and Senate Committees on Appropriations a sup-  
8 plemental report regarding the business plan, which shall  
9 describe the work completed to date, any changes to the  
10 business plan, and the reasons for such changes: *Provided*  
11 *further*, That none of the funds in this Act may be used  
12 for operating expenses and capital projects not approved  
13 by the Secretary of Transportation nor on the National  
14 Railroad Passenger Corporation's fiscal year 2004 busi-  
15 ness plan: *Provided further*, That none of the funds under  
16 this heading may be obligated or expended until the Na-  
17 tional Railroad Passenger Corporation agrees to continue  
18 abiding by the provisions of paragraphs 1, 2, 3, 5, 9, and  
19 11 of the summary of conditions for the direct loan agree-  
20 ment of June 28, 2002, in the same manner as in effect  
21 on the date of enactment of this Act.

22           GENERAL PROVISIONS—FEDERAL RAILROAD

23                           ADMINISTRATION

24           SEC. 150. To authorize the Surface Transportation  
25 Board to direct the continued operation of certain com-

1 muter rail passenger transportation operations in emer-  
2 gency situations, and for other purposes:

3 (a) Section 11123 of title 49, United States Code,  
4 is amended—

5 (1) in subsection (a)—

6 (A) by inserting “failure of existing com-  
7 muter rail passenger transportation operations  
8 caused by a cessation of service by the National  
9 Railroad Passenger Corporation,” after “ces-  
10 sation of operations,”;

11 (B) by striking “or” at the end of para-  
12 graph (3);

13 (C) by striking the period at the end of  
14 paragraph (4)(C) and inserting “; or”; and

15 (D) by adding at the end the following new  
16 paragraph:

17 “(5) in the case of a failure of existing freight  
18 or commuter rail passenger transportation oper-  
19 ations caused by a cessation of service by the Na-  
20 tional Railroad Passenger Corporation, direct the  
21 continuation of the operations and dispatching,  
22 maintenance, and other necessary infrastructure  
23 functions related to the operations.”;

24 (2) in subsection (b)(3)—

1           (A) by striking “When” and inserting “(A)  
2           Except as provided in subparagraph (B),  
3           when”; and

4           (B) by adding at the end the following new  
5           subparagraph:

6           “(B) In the case of a failure of existing freight or  
7           commuter rail passenger transportation operations caused  
8           by a cessation of service by the National Railroad Pas-  
9           senger Corporation, the Board shall provide funding to  
10          fully reimburse the directed service provider for its costs  
11          associated with the activities directed under subsection  
12          (a), including the payment of increased insurance pre-  
13          miums. The Board shall order complete indemnification  
14          against any and all claims associated with the provision  
15          of service to which the directed rail carrier may be ex-  
16          posed.”;

17          (3) by adding the following new paragraph at  
18          the end of subsection (e):

19          “(4) In the case of a failure of existing freight or  
20          commuter rail passenger transportation operations caused  
21          by cessation of service by the National Railroad Passenger  
22          Corporation, the Board may not direct a rail carrier to  
23          undertake activities under subsection (a) to continue such  
24          operations unless—

1           “(A) the Board first affirmatively finds that the  
2 rail carrier is operationally capable of conducting the  
3 directed service in a safe and efficient manner; and

4           “(B) the funding for such directed service re-  
5 quired by subparagraph (B) of subsection (b)(3) is  
6 provided in advance in appropriations Acts.”; and

7           (4) by adding at the end the following new sub-  
8 sections:

9           “(e) For purposes of this section, the National Rail-  
10 road Passenger Corporation and any entity providing com-  
11 muter rail passenger transportation shall be considered  
12 rail carriers subject to the Board’s jurisdiction.

13           “(f) For purposes of this section, the term ‘commuter  
14 rail passenger transportation’ has the meaning given that  
15 term in section 24102(4).”.

16           (b) Section 24301(c) of title 49, United States Code,  
17 is amended by inserting “11123,” after “except for see-  
18 tions”.

## 19           FEDERAL TRANSIT ADMINISTRATION

### 20                           ADMINISTRATIVE EXPENSES

21           For necessary administrative expenses of the Federal  
22 Transit Administration’s programs, \$14,500,000. *Pro-*  
23 *vided,* That no more than \$72,500,000 of budget authority  
24 shall be available for these purposes. *Provided further,*  
25 That of the funds available not to exceed \$948,000 shall



1 be available for the Office of the Administrator; not to  
2 exceed \$6,126,000 shall be available for the Office of Ad-  
3 ministration; not to exceed \$3,848,000 shall be available  
4 for the Office of the Chief Counsel; not to exceed  
5 \$1,067,000 shall be available for the Office of Commu-  
6 nication and Congressional Affairs; not to exceed  
7 \$7,303,000 shall be available for the Office of Program  
8 Management; not to exceed \$6,027,000 shall be available  
9 for the Office of Budget and Policy; not to exceed  
10 \$4,328,000 shall be available for the Office of Demonstra-  
11 tion and Innovation; not to exceed \$2,657,000 shall be  
12 available for the Office of Civil Rights; not to exceed  
13 \$3,732,000 shall be available for the Office of Planning;  
14 not to exceed \$17,697,000 shall be available for regional  
15 offices; and not to exceed \$16,567,000 shall be available  
16 for the central account: *Provided further*, That the Admin-  
17 istrator is authorized to transfer funds appropriated for  
18 an office of the Federal Transit Administration: *Provided*  
19 *further*, That no appropriation for an office shall be in-  
20 creased or decreased by more than 3 percent by all such  
21 transfers: *Provided further*, That any change in funding  
22 greater than 3 percent shall be submitted for approval to  
23 the House and Senate Committees on Appropriations:  
24 *Provided further*, That not to exceed \$1,000,000 shall be  
25 available for travel expenses: *Provided further*, That of the

1 funds in this Act available for the execution of contracts  
 2 under section 5327(e) of title 49, United States Code,  
 3 \$2,000,000 shall be reimbursed to the Department of  
 4 Transportation's Office of Inspector General for costs as-  
 5 sociated with audits and investigations of transit-related  
 6 issues, including reviews of new fixed guideway systems:  
 7 *Provided further,* That not to exceed \$2,200,000 for the  
 8 National transit database shall remain available until ex-  
 9 pended.

#### 10 FORMULA GRANTS

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out 49 U.S.C. 5307,  
 13 5308, 5310, 5311, 5327, and section 3038 of Public Law  
 14 105-178, \$767,800,000, to remain available until ex-  
 15 pended: *Provided,* That no more than \$3,839,000,000 of  
 16 budget authority shall be available for these purposes.

#### 17 UNIVERSITY TRANSPORTATION RESEARCH

18 For necessary expenses to carry out 49 U.S.C. 5505,  
 19 \$1,200,000, to remain available until expended: *Provided,*  
 20 That no more than \$6,000,000 of budget authority shall  
 21 be available for these purposes.

#### 22 TRANSIT PLANNING AND RESEARCH

23 For necessary expenses to carry out 49 U.S.C. 5303,  
 24 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and  
 25 5322, \$24,200,000, to remain available until expended:

1 *Provided*, That no more than \$122,000,000 of budget au-  
 2 thority shall be available for these purposes: *Provided fur-*  
 3 *ther*, That \$5,250,000 is available to provide rural trans-  
 4 portation assistance (49 U.S.C. 5311(b)(2)), \$4,000,000  
 5 is available to carry out programs under the National  
 6 Transit Institute (49 U.S.C. 5315), \$8,250,000 is avail-  
 7 able to carry out transit cooperative research programs  
 8 (49 U.S.C. 5313(a)), \$60,385,600 is available for metro-  
 9 politan planning (49 U.S.C. 5303, 5304, and 5305),  
 10 \$12,614,400 is available for State planning (49 U.S.C.  
 11 5313(b)); and \$31,500,000 is available for the national  
 12 planning and research program (49 U.S.C. 5314).

13 TRUST FUND SHARE OF EXPENSES

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (HIGHWAY TRUST FUND)

16 For payment of obligations incurred in carrying out  
 17 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327,  
 18 5334, 5505, and sections 3037 and 3038 of Public Law  
 19 105–178, \$5,807,020,000 to remain available until ex-  
 20 pended, and to be derived from the Mass Transit Account  
 21 of the Highway Trust Fund: *Provided*, That  
 22 \$3,071,200,000 shall be paid to the Federal Transit Ad-  
 23 ministration’s formula grants account: *Provided further*,  
 24 That \$97,800,000 shall be paid to the Federal Transit Ad-  
 25 ministration’s transit planning and research account: *Pro-*  
 26 *vided further*, That \$58,000,000 shall be paid to the Fed-

1 eral Transit Administration's administrative expenses ac-  
 2 count: *Provided further*, That \$4,800,000 shall be paid to  
 3 the Federal Transit Administration's university transpor-  
 4 tation research account: *Provided further*, That  
 5 \$64,000,000 shall be paid to the Federal Transit Adminis-  
 6 tration's job access and reverse commute grants program:  
 7 *Provided further*, That \$2,507,220,000 shall be paid to the  
 8 Federal Transit Administration's capital investment  
 9 grants account.

10 CAPITAL INVESTMENT GRANTS

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out 49 U.S.C. 5308,  
 13 5309, 5318, and 5327, \$599,280,000, to remain available  
 14 until expended: *Provided*, That no more than  
 15 \$3,106,500,000 of budget authority shall be available for  
 16 these purposes: *Provided further*, That there shall be avail-  
 17 able for fixed guideway modernization, \$1,214,400,000;  
 18 there shall be available for the replacement, rehabilitation,  
 19 and purchase of buses and related equipment and the con-  
 20 struction of bus-related facilities, \$677,700,000; and there  
 21 shall be available for new fixed guideway systems  
 22 \$1,214,400,000, to be available as follows:

23 Baltimore, MD, Central Light Rail Double  
 24 Track Project, \$40,000,000;

1           BART San Francisco Airport (SFO), CA, Ex-  
2           tension Project, \$100,000,000;  
3           Boston, MA, Silver Line Phase III, \$3,000,000;  
4           Charlotte, NC, South Corridor Light Rail  
5           Project, \$4,000,000;  
6           Chicago Transit Authority, IL, Douglas Branch  
7           Reconstruction, \$85,000,000;  
8           Chicago, IL, Metra Commuter Rail Expansions  
9           and Extensions, \$52,000,000;  
10          Chicago, IL, Ravenswood Reconstruction,  
11          \$45,000,000;  
12          Dallas, TX, North Central Light Rail Exten-  
13          sion, \$30,161,283;  
14          Denver, CO, Southeast Corridor LRT (T-  
15          REX), \$80,000,000;  
16          East Side Access Project, NY, Phase I,  
17          \$70,000,000;  
18          Ft. Lauderdale, FL, Tri-Rail Commuter  
19          Project, \$18,410,000;  
20          Las Vegas, NV, Resort Corridor Fixed Guide-  
21          way, \$15,000,000;  
22          Los Angeles, CA, Eastside Light Rail Transit  
23          System, \$10,000,000;  
24          Memphis, TN, Medical Center Rail Extension,  
25          \$9,247,588;

1           Minneapolis, MN, Hiawatha Corridor Light  
2 Rail Transit (LRT), \$74,980,000;  
3           New Orleans, LA, Canal Street Streetcar  
4 Project, \$23,921,373;  
5           New York, Second Avenue Subway, \$3,000,000;  
6           Newark, NJ, Rail Link (NERL) MOS1,  
7 \$22,566,022;  
8           Northern, NJ, Hudson-Bergen Light Rail  
9 (MOS2), \$100,000,000;  
10          Phoenix, AZ, Central Phoenix/East Valley  
11 Light Rail Transit Project, \$13,000,000;  
12          Pittsburgh, PA, Stage II Light Rail Transit  
13 Reconstruction, \$32,243,422;  
14          Portland, OR, Interstate MAX Light Rail Ex-  
15 tension, \$77,500,000;  
16          Raleigh, NC, Triangle Transit Authority Re-  
17 gional Rail Project, \$3,000,000;  
18          Salt Lake City, UT, Medical Center LRT Ex-  
19 tension, \$30,663,361;  
20          San Diego, CA, Mission Valley East Light Rail  
21 Transit Extension, \$65,000,000;  
22          San Diego, CA, Oceanside-Escondido Rail  
23 Project, \$48,000,000;  
24          San Juan, PR, Tren Urbano Rapid Transit  
25 System, \$43,540,000;

1           Seattle, WA, Sound Transit Central Link Ini-  
2           tial Segment, \$15,000,000;  
3           Washington, DC/MD, Largo Extension,  
4           \$65,000,000;  
5           Washington, DC/VA, Dulles Corridor Rapid  
6           Transit Project, \$25,000,000;  
7           Hawaii and Alaska Ferry Boats, \$10,296,000;  
8           Oversight set-aside, \$12,144,000; and  
9           San Francisco, CA, Muni Third Street Light  
10          Rail Project, \$10,000,000.

11 *Provided further*, That notwithstanding any other provi-  
12 sion of law, for the purpose of calculating the non-New  
13 Starts share of the total project cost of both phases of  
14 San Francisco Muni's Third Street Light Rail Transit  
15 project for fiscal year 2004, the Secretary of Transpor-  
16 tation shall include all non-New Starts contributions made  
17 towards Phase 1 of the two-phase project for engineering,  
18 final design and construction, and also shall allow non-  
19 New Starts funds expended on one element or phase of  
20 the project to be used to meet the non-New Starts share  
21 requirement of any element or phase of the project: *Pro-*  
22 *vided further*, That none of the funds provided in this Act  
23 for the San Francisco Muni's Third Street Light Rail  
24 Transit Project shall be obligated if the Federal Transit  
25 Administration determines that the project is found to be

1 “not recommended” after evaluation and computation of  
 2 revised transportation system user benefit data.

3       JOB ACCESS AND REVERSE COMMUTE GRANTS

4       For necessary expenses to carry out section 3037 of  
 5 the Federal Transit Act of 1998, \$17,000,000, to remain  
 6 available until expended: *Provided*, That no more than  
 7 \$85,000,000 of budget authority shall be available for  
 8 these purposes: *Provided further*, That up to \$200,000 of  
 9 the funds provided under this heading may be used by the  
 10 Federal Transit Administration for technical assistance  
 11 and support and performance reviews of the Job Access  
 12 and Reverse Commute Grants program.

13               GENERAL PROVISIONS—FEDERAL TRANSIT  
 14                               ADMINISTRATION

15       SEC. 160. The limitations on obligations for the pro-  
 16 grams of the Federal Transit Administration shall not  
 17 apply to any authority under 49 U.S.C. 5338, previously  
 18 made available for obligation, or to any other authority  
 19 previously made available for obligation.

20       SEC. 161. Notwithstanding any other provision of  
 21 law, and except for fixed guideway modernization projects,  
 22 funds made available by this Act under “Federal Transit  
 23 Administration, Capital investment grants” for projects  
 24 specified in this Act or identified in reports accompanying  
 25 this Act not obligated by September 30, 2006, and other



1 recoveries, shall be made available for other projects under  
2 49 U.S.C. 5309.

3       SEC. 162. Notwithstanding any other provision of  
4 law, any funds appropriated before October 1, 2003, under  
5 any section of chapter 53 of title 49, United States Code,  
6 that remain available for expenditure may be transferred  
7 to and administered under the most recent appropriation  
8 heading for any such section.

9       SEC. 163. None of the funds in this Act shall be made  
10 available for the design, construction, or maintenance of  
11 any segment of a light rail system in Houston that has  
12 not been specifically approved by a majority of the partici-  
13 pating voters in the Houston Metropolitan Transit Au-  
14 thority service area in a referendum.

15       SEC. 164. Notwithstanding any other provision of  
16 law, funds made available for the Roaring Fork Transpor-  
17 tation Authority, Colorado, under Public Laws 106-69  
18 and 106-346 shall be made available for the Roaring Fork  
19 Valley Bus Rapid Transit project.

20       **SAINT LAWRENCE SEAWAY DEVELOPMENT**  
21                                   **CORPORATION**

22       The Saint Lawrence Seaway Development Corpora-  
23 tion is hereby authorized to make such expenditures, with-  
24 in the limits of funds and borrowing authority available  
25 to the Corporation, and in accord with law, and to make

1 such contracts and commitments without regard to fiscal  
2 year limitations as provided by section 104 of the Govern-  
3 ment Corporation Control Act, as amended, as may be  
4 necessary in carrying out the programs set forth in the  
5 Corporation's budget for the current fiscal year.

6                   OPERATIONS AND MAINTENANCE

7                   (HARBOR MAINTENANCE TRUST FUND)

8           For necessary expenses for operations and mainte-  
9 nance of those portions of the Saint Lawrence Seaway op-  
10 erated and maintained by the Saint Lawrence Seaway De-  
11 velopment Corporation, \$14,700,000, to be derived from  
12 the Harbor Maintenance Trust Fund, pursuant to Public  
13 Law 99-662.

14                   MARITIME ADMINISTRATION

15                   MARITIME SECURITY PROGRAM

16           For necessary expenses to maintain and preserve a  
17 U.S.-flag merchant fleet to serve the national security  
18 needs of the United States, \$98,700,000, to remain avail-  
19 able until expended.

20                   OPERATIONS AND TRAINING

21           For necessary expenses of operations and training ac-  
22 tivities authorized by law, \$105,897,000, of which  
23 \$22,000,000 shall remain available until September 30,  
24 2004, for salaries and benefits of employees of the United  
25 States Merchant Marine Academy, of which \$13,000,000

1 shall remain available until expended for capital improve-  
2 ments at the United States Merchant Marine Academy;  
3 of which \$9,063,000 shall remain available until expended  
4 for the State Maritime Schools Schoolship Maintenance  
5 and Repair; of which \$500,000 shall remain available until  
6 expended for the evaluation and provision of the fourteen  
7 commercially strategic ports; and of which \$1,000,000  
8 shall remain available until September 30, 2005, for Mari-  
9 time Security Professional Training in support of Section  
10 109 of the Maritime Transportation Security Act of 2002.

11 ~~SHIP DISPOSAL~~

12 ~~For necessary expenses related to the disposal of ob-~~  
13 ~~solete vessels in the National Defense Reserve Fleet of the~~  
14 ~~Maritime Administration, \$14,000,000, to remain avail-~~  
15 ~~able until expended.~~

16 ~~GENERAL PROVISIONS—MARITIME ADMINISTRATION~~

17 ~~SEC. 170. Notwithstanding any other provision of~~  
18 ~~this or any other Act, the Maritime Administration is au-~~  
19 ~~thorized to furnish utilities and services and make nec-~~  
20 ~~essary repairs in connection with any lease, contract, or~~  
21 ~~occupancy involving Government property under control of~~  
22 ~~the Maritime Administration, and payments received~~  
23 ~~therefore shall be credited to the appropriation charged~~  
24 ~~with the cost thereof. *Provided,* That rental payments~~  
25 ~~under any such lease, contract, or occupancy for items~~

1 other than such utilities, services, or repairs shall be de-  
2 posited into the Treasury as miscellaneous receipts. No  
3 obligations shall be incurred during the current fiscal year  
4 from the construction fund established by the Merchant  
5 Marine Act, 1936, or otherwise, in excess of the appropria-  
6 tions and limitations contained in this Act or in any prior  
7 Appropriations Act.

8       SEC. 171. Chapter 10 of title I of the Emergency  
9 Wartime Supplemental Appropriations Act (Public Law  
10 108-11) is amended by striking “For the cost of guaran-  
11 teed loans, as authorized, \$25,000,000, to remain avail-  
12 able until September 30, 2005.” and inserting “For the  
13 cost of guaranteed loans and associated administrative ex-  
14 penses, as authorized, \$25,000,000, to remain available  
15 until September 30, 2005, of which up to \$4,498,000 may  
16 be used for associated administrative expenses.”.

## 17           RESEARCH AND SPECIAL PROGRAMS

### 18                           ADMINISTRATION

#### 19                           RESEARCH AND SPECIAL PROGRAMS

20       For expenses necessary to discharge the functions of  
21 the Research and Special Programs Administration,  
22 \$47,018,000, of which \$645,000 shall be derived from the  
23 Pipeline Safety Fund, and of which \$2,437,000 shall re-  
24 main available until September 30, 2006: *Provided*, That  
25 up to \$1,200,000 in fees collected under 49 U.S.C.

1 5108(g) shall be deposited in the general fund of the  
2 Treasury as offsetting receipts: *Provided further*, That  
3 there may be credited to this appropriation, to be available  
4 until expended, funds received from States, counties, mu-  
5 nicipalities, other public authorities, and private sources  
6 for expenses incurred for training, for reports publication  
7 and dissemination, and for travel expenses incurred in per-  
8 formance of hazardous materials exemptions and approv-  
9 als functions.

10 PIPELINE SAFETY

11 (PIPELINE SAFETY FUND)

12 (OIL SPILL LIABILITY TRUST FUND)

13 For expenses necessary to conduct the functions of  
14 the pipeline safety program, for grants-in-aid to carry out  
15 a pipeline safety program, as authorized by 49 U.S.C.  
16 60107, and to discharge the pipeline program responsibil-  
17 ities of the Oil Pollution Act of 1990, \$64,054,000, of  
18 which \$9,000,000 shall be derived from the Oil Spill Li-  
19 ability Trust Fund and shall remain available until Sep-  
20 tember 30, 2006; of which \$55,054,000 shall be derived  
21 from the Pipeline Safety Fund, of which \$21,786,000  
22 shall remain available until September 30, 2006.

23 EMERGENCY PREPAREDNESS GRANTS

24 (EMERGENCY PREPAREDNESS FUND)

25 For necessary expenses to carry out 49 U.S.C.  
26 5127(e), \$200,000, to be derived from the Emergency

1 Preparedness Fund, to remain available until September  
2 30, 2006: *Provided*, That not more than \$14,300,000 shall  
3 be made available for obligation in fiscal year 2004 from  
4 amounts made available by 49 U.S.C. 5116(i), 5127(e),  
5 and 5127(d): *Provided further*, That none of the funds  
6 made available by 49 U.S.C. 5116(i), 5127(e), and  
7 5127(d) shall be made available for obligation by individ-  
8 uals other than the Secretary of Transportation, or his  
9 designee.

## 10 OFFICE OF INSPECTOR GENERAL

### 11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Inspector  
13 General to carry out the provisions of the Inspector Gen-  
14 eral Act of 1978, as amended, \$55,000,000: *Provided*,  
15 That the Inspector General shall have all necessary au-  
16 thority, in carrying out the duties specified in the Inspec-  
17 tor General Act, as amended (5 U.S.C. App. 3) to inves-  
18 tigate allegations of fraud, including false statements to  
19 the Government (18 U.S.C. 1001), by any person or entity  
20 that is subject to regulation by the Department: *Provided*  
21 *further*, That the funds made available under this heading  
22 shall be used to investigate, pursuant to section 41712 of  
23 title 49, United States Code: (1) unfair or deceptive prac-  
24 tices and unfair methods of competition by domestic and  
25 foreign air carriers and ticket agents; and (2) the compli-

1 ance of domestic and foreign air carriers with respect to  
 2 item (1) of this proviso:

3           SURFACE TRANSPORTATION BOARD

4                       SALARIES AND EXPENSES

5       For necessary expenses of the Surface Transpor-  
 6 tation Board, including services authorized by 5 U.S.C.  
 7 3109, \$19,521,000: *Provided*, That notwithstanding any  
 8 other provision of law, not to exceed \$1,050,000 from fees  
 9 established by the Chairman of the Surface Transpor-  
 10 tation Board shall be credited to this appropriation as off-  
 11 setting collections and used for necessary and authorized  
 12 expenses under this heading: *Provided further*, That the  
 13 sum herein appropriated from the general fund shall be  
 14 reduced on a dollar-for-dollar basis as such offsetting col-  
 15 lections are received during fiscal year 2004, to result in  
 16 a final appropriation from the general fund estimated at  
 17 no more than \$18,471,000.

18       TITLE II—DEPARTMENT OF THE TREASURY

19                       DEPARTMENTAL OFFICES

20                               SALARIES AND EXPENSES

21                               (INCLUDING TRANSFER OF FUNDS)

22       For necessary expenses of the Departmental Offices  
 23 including operation and maintenance of the Treasury  
 24 Building and Annex; hire of passenger motor vehicles;  
 25 maintenance, repairs, and improvements of, and purchase

1 of commercial insurance policies for, real properties leased  
2 or owned overseas, when necessary for the performance  
3 of official business; not to exceed \$3,000,000, to remain  
4 available until September 30, 2005 for information tech-  
5 nology modernization requirements; not to exceed  
6 \$150,000 for official reception and representation ex-  
7 penses; not to exceed \$258,000 for unforeseen emer-  
8 gencies of a confidential nature, to be allocated and ex-  
9 pended under the direction of the Secretary of the Treas-  
10 ury and to be accounted for solely on his certificate,  
11 \$175,809,000: *Provided*, That no less than \$21,855,000  
12 is for the Office of Foreign Assets Control: *Provided fur-*  
13 *ther*, That of these amounts \$2,900,000 is available for  
14 grants to State and local law enforcement groups to help  
15 fight money laundering: *Provided further*, That of these  
16 amounts, \$3,393,000, to remain available until September  
17 30, 2005, shall be for the Treasury-wide Financial State-  
18 ment Audit Program, of which such amounts as may be  
19 necessary may be transferred to accounts of the Depart-  
20 ment's offices and bureaus to conduct audits: *Provided*  
21 *further*, That this transfer authority shall be in addition  
22 to any other provided in this Act.



1           DEPARTMENT-WIDE SYSTEMS AND CAPITAL  
2                           INVESTMENTS PROGRAMS  
3                           (INCLUDING TRANSFER OF FUNDS)

4           For development and acquisition of automatic data  
5 processing equipment, software, and services for the De-  
6 partment of the Treasury, \$36,653,000, to remain avail-  
7 able until September 30, 2006: *Provided*, That these funds  
8 shall be transferred to accounts and in amounts as nec-  
9 essary to satisfy the requirements of the Department's of-  
10 fices, bureaus, and other organizations: *Provided further*,  
11 That this transfer authority shall be in addition to any  
12 other transfer authority provided in this Act.

13                           OFFICE OF INSPECTOR GENERAL  
14                           SALARIES AND EXPENSES

15           For necessary expenses of the Office of Inspector  
16 General in carrying out the provisions of the Inspector  
17 General Act of 1978, as amended, not to exceed  
18 \$2,000,000 for official travel expenses, including hire of  
19 passenger motor vehicles; not to exceed \$2,500 for official  
20 reception and representation expenses; and not to exceed  
21 \$100,000 for unforeseen emergencies of a confidential na-  
22 ture, to be allocated and expended under the direction of  
23 the Inspector General of the Treasury, \$12,792,000.

1           TREASURY INSPECTOR GENERAL FOR TAX  
2                           ADMINISTRATION  
3                           SALARIES AND EXPENSES

4           For necessary expenses of the Treasury Inspector  
5 General for Tax Administration in carrying out the In-  
6 spector General Act of 1978, as amended, including pur-  
7 chase (not to exceed 150 for replacement only for police-  
8 type use) and hire of passenger motor vehicles (31 U.S.C.  
9 1343(b)); services authorized by 5 U.S.C. 3109, at such  
10 rates as may be determined by the Inspector General for  
11 Tax Administration; not to exceed \$6,000,000 for official  
12 travel expenses; and not to exceed \$500,000 for unfore-  
13 seen emergencies of a confidential nature; to be allocated  
14 and expended under the direction of the Inspector General  
15 for Tax Administration, \$128,034,000.

16           AIR TRANSPORTATION STABILIZATION PROGRAM

17           For necessary expenses to administer the Air Trans-  
18 portation Stabilization Board established by section 102  
19 of the Air Transportation Safety and System Stabilization  
20 Act (Public Law 107-42), \$2,538,000, to remain available  
21 until expended.

1           TREASURY BUILDING AND ANNEX REPAIR AND  
2    RESTORATION

3           For the repair, alteration, and improvement of the  
4 Treasury Building and Annex, \$25,000,000, to remain  
5 available until September 30, 2006.

6           FINANCIAL CRIMES ENFORCEMENT NETWORK  
7    SALARIES AND EXPENSES

8           For necessary expenses of the Financial Crimes En-  
9 forcement Network, including hire of passenger motor ve-  
10 hicles; travel expenses of non-Federal law enforcement  
11 personnel to attend meetings concerned with financial in-  
12 telligence activities, law enforcement, and financial regula-  
13 tion; not to exceed \$14,000 for official reception and rep-  
14 resentation expenses; and for assistance to Federal law en-  
15 forcement agencies, with or without reimbursement,  
16 \$57,571,000, of which not to exceed \$4,500,000 shall re-  
17 main available until September 30, 2006; and of which  
18 \$8,152,000 shall remain available until September 30,  
19 2005: *Provided*, That funds appropriated in this account  
20 may be used to procure personal services contracts.

21           FINANCIAL MANAGEMENT SERVICE

22    SALARIES AND EXPENSES

23           For necessary expenses of the Financial Management  
24 Service, \$228,558,000, of which not to exceed \$9,220,000  
25 shall remain available until September 30, 2006, for infor-

1 mation systems modernization initiatives; and of which not  
2 to exceed \$2,500 shall be available for official reception  
3 and representation expenses.

4       ALCOHOL AND TOBACCO TAX AND TRADE

5                       BUREAU

6                               SALARIES AND EXPENSES

7       For necessary expenses of carrying out section 1111  
8 of the Homeland Security Act of 2002, including hire of  
9 passenger motor vehicles, \$80,000,000; of which not to ex-  
10 ceed \$6,000 for official reception and representation ex-  
11 penses; not to exceed \$50,000 for cooperative research and  
12 development programs for Laboratory Services; and provi-  
13 sion of laboratory assistance to State and local agencies  
14 with or without reimbursement.

15                               UNITED STATES MINT

16       UNITED STATES MINT PUBLIC ENTERPRISE FUND

17       Pursuant to section 5136 of title 31, United States  
18 Code, the United States Mint is provided funding through  
19 the United States Mint Public Enterprise Fund for costs  
20 associated with the production of circulating coins, numis-  
21 matic coins, and protective services, including both oper-  
22 ating expenses and capital investments. The aggregate  
23 amount of new liabilities and obligations incurred during  
24 fiscal year 2004 under such section 5136 for circulating  
25 coinage and protective service capital investments of the

1 United States Mint shall not exceed \$40,652,000. From  
2 amounts in the United States Mint Public Enterprise  
3 Fund, the Secretary of the Treasury shall pay to the  
4 Comptroller General an amount not to exceed \$375,000  
5 to reimburse the Comptroller General for the cost of a  
6 study to be contracted for by the Comptroller General on  
7 the potential and cost-effectiveness of expanded use of pre-  
8 made “blanks” by the United States Mint in the produc-  
9 tion of circulating coins. The amounts reimbursed to the  
10 Comptroller General pursuant to this paragraph shall be  
11 deposited to the appropriation of the General Accounting  
12 Office then available and remain available until expended.

#### 13 BUREAU OF THE PUBLIC DEBT

#### 14 ADMINISTERING THE PUBLIC DEBT

15 For necessary expenses connected with any public-  
16 debt issues of the United States, \$178,052,000, of which  
17 not to exceed \$2,500 shall be available for official recep-  
18 tion and representation expenses, and of which not to ex-  
19 ceed \$2,000,000 shall remain available until expended for  
20 systems modernization: *Provided*, That the sum appro-  
21 priated herein from the General Fund for fiscal year 2004  
22 shall be reduced by not more than \$4,400,000 as definitive  
23 security issue fees and Treasury Direct Investor Account  
24 Maintenance fees are collected, so as to result in a final  
25 fiscal year 2004 appropriation from the General Fund es-

1 timated at \$173,652,000. In addition, \$40,000 to be de-  
2 rived from the Oil Spill Liability Trust Fund to reimburse  
3 the Bureau for administrative and personnel expenses for  
4 financial management of the Fund, as authorized by sec-  
5 tion 1012 of Public Law 101-380.

## 6 INTERNAL REVENUE SERVICE

### 7 PROCESSING, ASSISTANCE, AND MANAGEMENT

8 For necessary expenses of the Internal Revenue Serv-  
9 ice for pre-filing taxpayer assistance and education, filing  
10 and account services, shared services support, general  
11 management and administration, and services as author-  
12 ized by 5 U.S.C. 3109, at such rates as may be determined  
13 by the Commissioner, \$4,037,834,000, of which  
14 \$4,250,000 shall be for the Tax Counseling for the Elderly  
15 Program, of which \$8,000,000 shall be available for low-  
16 income taxpayer clinic grants, and of which not to exceed  
17 \$25,000 shall be for official reception and representation  
18 expenses.

### 19 TAX LAW ENFORCEMENT

20 For necessary expenses of the Internal Revenue Serv-  
21 ice for determining and establishing tax liabilities; pro-  
22 viding litigation support; conducting criminal investigation  
23 and enforcement activities; securing unfiled tax returns;  
24 collecting unpaid accounts; conducting a document match-  
25 ing program; resolving taxpayer problems through prompt

1 identification, referral and settlement; compiling statistics  
2 of income and conducting compliance research; funding es-  
3 sential earned income tax credit compliance and error re-  
4 duction initiatives; purchase (for police-type use, not to ex-  
5 ceed 850) and hire of passenger motor vehicles (31 U.S.C.  
6 1343(b)); and services as authorized by 5 U.S.C. 3109,  
7 at such rates as may be determined by the Commissioner,  
8 \$4,221,408,000, of which not to exceed \$1,000,000 shall  
9 remain available until September 30, 2006, for research,  
10 and of which not to exceed \$10,000,000 may be used to  
11 reimburse the Social Security Administration for the costs  
12 of implementing section 1090 of the Taxpayer Relief Act  
13 of 1997 (Public Law 105-33).

#### 14 INFORMATION SYSTEMS

15 For necessary expenses of the Internal Revenue Serv-  
16 ice for information systems and telecommunications sup-  
17 port, including developmental information systems and  
18 operational information systems; the hire of passenger  
19 motor vehicles (31 U.S.C. 1343(b)); and services as au-  
20 thorized by 5 U.S.C. 3109, at such rates as may be deter-  
21 mined by the Commissioner, \$1,628,739,000, of which  
22 \$165,000,000 shall remain available until September 30,  
23 2005.

## 1 BUSINESS SYSTEMS MODERNIZATION

2 For necessary expenses of the Internal Revenue Serv-  
3 ice, \$429,000,000, to remain available until September 30,  
4 2006, for the capital asset acquisition of information tech-  
5 nology systems, including management and related con-  
6 tractual costs of said acquisitions, including contractual  
7 costs associated with operations authorized by 5 U.S.C.  
8 3109: *Provided*, That none of these funds may be obli-  
9 gated until the Internal Revenue Service submits to the  
10 Committees on Appropriations, and such Committees ap-  
11 prove, a plan for expenditure that: (1) meets the capital  
12 planning and investment control review requirements es-  
13 tablished by the Office of Management and Budget, in-  
14 cluding Circular A-11 part 3; (2) complies with the Inter-  
15 nal Revenue Service's enterprise architecture, including  
16 the modernization blueprint; (3) conforms with the Inter-  
17 nal Revenue Service's enterprise life cycle methodology;  
18 (4) is approved by the Internal Revenue Service, the De-  
19 partment of the Treasury, and the Office of Management  
20 and Budget; (5) has been reviewed by the General Ac-  
21 counting Office; and (6) complies with the acquisition  
22 rules, requirements, guidelines, and systems acquisition  
23 management practices of the Federal Government.



## 1 HEALTH INSURANCE TAX CREDIT ADMINISTRATION

2 For expenses necessary to implement the health in-  
3 surance tax credit included in the Trade Act of 2002  
4 (Public Law 107-210), \$35,000,000, to remain available  
5 until September 30, 2005.

6 GENERAL PROVISIONS—DEPARTMENT OF THE  
7 TREASURY

8 SEC. 201. Not to exceed 5 percent of any appropria-  
9 tion made available in this Act to the Internal Revenue  
10 Service may be transferred to any other Internal Revenue  
11 Service appropriation upon the advance approval of the  
12 Committees on Appropriations.

13 SEC. 202. The Internal Revenue Service shall main-  
14 tain a training program to ensure that Internal Revenue  
15 Service employees are trained in taxpayers' rights, in deal-  
16 ing courteously with the taxpayers, and in cross-cultural  
17 relations.

18 SEC. 203. The Internal Revenue Service shall insti-  
19 tute and enforce policies and procedures that will safe-  
20 guard the confidentiality of taxpayer information.

21 SEC. 204. Funds made available by this or any other  
22 Act to the Internal Revenue Service shall be available for  
23 improved facilities and increased manpower to provide suf-  
24 ficient and effective 1-800 help line service for taxpayers.  
25 The Commissioner shall continue to make the improve-

1 ment of the Internal Revenue Service 1–800 help line serv-  
2 ice a priority and allocate resources necessary to increase  
3 phone lines and staff to improve the Internal Revenue  
4 Service 1–800 help line service.

5       SEC. 205. Appropriations to the Department of the  
6 Treasury in this Act shall be available for uniforms or al-  
7 lowances therefor, as authorized by law (5 U.S.C. 5901),  
8 including maintenance, repairs, and cleaning; purchase of  
9 insurance for official motor vehicles operated in foreign  
10 countries; purchase of motor vehicles without regard to the  
11 general purchase price limitations for vehicles purchased  
12 and used overseas for the current fiscal year; entering into  
13 contracts with the Department of State for the furnishing  
14 of health and medical services to employees and their de-  
15 pendants serving in foreign countries; and services author-  
16 ized by 5 U.S.C. 3109.

17       SEC. 206. Not to exceed 2 percent of any appropria-  
18 tions in this Act made available to the Departmental Of-  
19 fices—Salaries and Expenses, Office of Inspector General,  
20 Financial Management Service, Alcohol and Tobacco Tax  
21 and Trade Bureau, Financial Crimes Enforcement Net-  
22 work, and Bureau of the Public Debt, may be transferred  
23 between such appropriations upon the advance approval  
24 of the Committees on Appropriations. No transfer may in-

1 crease or decrease any such appropriation by more than  
2 2 percent.

3       SEC. 207. Not to exceed 2 percent of any appropria-  
4 tion made available in this Act to the Internal Revenue  
5 Service may be transferred to the Treasury Inspector Gen-  
6 eral for Tax Administration's appropriation upon the ad-  
7 vance approval of the Committees on Appropriations. No  
8 transfer may increase or decrease any such appropriation  
9 by more than 2 percent.

10       SEC. 208. None of the funds appropriated in this Act  
11 or otherwise available to the Department of the Treasury  
12 or the Bureau of Engraving and Printing may be used  
13 to redesign the \$1 Federal Reserve note.

14       SEC. 209. The Secretary of the Treasury may trans-  
15 fer funds from "Salaries and Expenses", Financial Man-  
16 agement Service, to the Debt Services Account as nec-  
17 essary to cover the costs of debt collection: *Provided*, That  
18 such amounts shall be reimbursed to such Salaries and  
19 Expenses account from debt collections received in the  
20 Debt Services Account.

21       SEC. 210. None of the funds appropriated or other-  
22 wise made available by this or any other Act may be used  
23 by the United States Mint to construct or operate any mu-  
24 seum without the explicit approval of the House Com-

1 mittee on Financial Services and the Senate Committee  
2 on Banking, Housing, and Urban Affairs.

3       SEC. 211. For fiscal year 2004 and each fiscal year  
4 thereafter, there are appropriated to the Secretary of the  
5 Treasury such sums as may be necessary to reimburse fi-  
6 nancial institutions in their capacity as depositaries and  
7 financial agents of the United States for all services re-  
8 quired or directed by the Secretary of the Treasury, or  
9 the Secretary's designee, to be performed by such financial  
10 institutions on behalf of the Department of the Treasury  
11 or other Federal agencies, including services rendered  
12 prior to fiscal year 2004.

### 13                   TITLE III—POSTAL SERVICE

#### 14                   PAYMENT TO THE POSTAL SERVICE FUND

15       For payment to the Postal Service Fund for revenue  
16 forgone on free and reduced rate mail, pursuant to sub-  
17 sections (e) and (d) of section 2401 of title 39, United  
18 States Code, \$65,521,000, of which \$36,521,000 shall not  
19 be available for obligation until October 1, 2004: *Provided*,  
20 That mail for overseas voting and mail for the blind shall  
21 continue to be free: *Provided further*, That 6-day delivery  
22 and rural delivery of mail shall continue at not less than  
23 the 1983 level: *Provided further*, That none of the funds  
24 made available to the Postal Service by this Act shall be  
25 used to implement any rule, regulation, or policy of charg-

1 ing any officer or employee of any State or local child sup-  
2 port enforcement agency, or any individual participating  
3 in a State or local program of child support enforcement,  
4 a fee for information requested or provided concerning an  
5 address of a postal customer: *Provided further*, That none  
6 of the funds provided in this Act shall be used to consoli-  
7 date or close small rural and other small post offices in  
8 fiscal year 2004.

9 TITLE IV—EXECUTIVE OFFICE OF THE PRESI-  
10 DENT AND FUNDS APPROPRIATED TO THE  
11 PRESIDENT

12 COMPENSATION OF THE PRESIDENT

13 For compensation of the President, including an ex-  
14 pense allowance at the rate of \$50,000 per annum as au-  
15 thorized by 3 U.S.C. 102, \$450,000: *Provided*, That none  
16 of the funds made available for official expenses shall be  
17 expended for any other purpose and any unused amount  
18 shall revert to the Treasury pursuant to section 1552 of  
19 title 31, United States Code: *Provided further*, That none  
20 of the funds made available for official expenses shall be  
21 considered as taxable to the President.

22 WHITE HOUSE OFFICE

23 SALARIES AND EXPENSES

24 For necessary expenses for the White House as au-  
25 thorized by law, including not to exceed \$3,850,000 for

1 services as authorized by ~~5~~ U.S.C. ~~3109~~ and ~~3~~ U.S.C. 105;  
 2 subsistence expenses as authorized by ~~3~~ U.S.C. 105, which  
 3 shall be expended and accounted for as provided in that  
 4 section; hire of passenger motor vehicles, newspapers,  
 5 periodicals, teletype news service, and travel (not to exceed  
 6 \$100,000 to be expended and accounted for as provided  
 7 by ~~3~~ U.S.C. 103); and not to exceed \$19,000 for official  
 8 entertainment expenses, to be available for allocation with-  
 9 in the Executive Office of the President, ~~\$66,057,000~~.  
 10 *Provided*, That \$8,650,000 of the funds appropriated shall  
 11 be available for reimbursements to the White House Com-  
 12 munications Agency.

13 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

14 OPERATING EXPENSES

15 For the care, maintenance, repair and alteration, re-  
 16 furnishing, improvement, heating, and lighting, including  
 17 electric power and fixtures, of the Executive Residence at  
 18 the White House and official entertainment expenses of  
 19 the President, \$12,501,000, to be expended and accounted  
 20 for as provided by ~~3~~ U.S.C. 105, 109, 110, and 112–114.

21 REIMBURSABLE EXPENSES

22 For the reimbursable expenses of the Executive Resi-  
 23 dence at the White House, such sums as may be nec-  
 24 essary: *Provided*, That all reimbursable operating expenses  
 25 of the Executive Residence shall be made in accordance  
 26 with the provisions of this paragraph: *Provided further*,

1 That, notwithstanding any other provision of law, such  
2 amount for reimbursable operating expenses shall be the  
3 exclusive authority of the Executive Residence to incur ob-  
4 ligations and to receive offsetting collections, for such ex-  
5 penses: *Provided further*, That the Executive Residence  
6 shall require each person sponsoring a reimbursable polit-  
7 ical event to pay in advance an amount equal to the esti-  
8 mated cost of the event, and all such advance payments  
9 shall be credited to this account and remain available until  
10 expended: *Provided further*, That the Executive Residence  
11 shall require the national committee of the political party  
12 of the President to maintain on deposit \$25,000, to be  
13 separately accounted for and available for expenses relat-  
14 ing to reimbursable political events sponsored by such  
15 committee during such fiscal year: *Provided further*, That  
16 the Executive Residence shall ensure that a written notice  
17 of any amount owed for a reimbursable operating expense  
18 under this paragraph is submitted to the person owing  
19 such amount within 60 days after such expense is in-  
20 curred, and that such amount is collected within 30 days  
21 after the submission of such notice: *Provided further*, That  
22 the Executive Residence shall charge interest and assess  
23 penalties and other charges on any such amount that is  
24 not reimbursed within such 30 days, in accordance with  
25 the interest and penalty provisions applicable to an out-

1 standing debt on a United States Government claim under  
2 section 3717 of title 31, United States Code: *Provided fur-*  
3 *ther*, That each such amount that is reimbursed, and any  
4 accompanying interest and charges, shall be deposited in  
5 the Treasury as miscellaneous receipts: *Provided further*,  
6 That the Executive Residence shall prepare and submit  
7 to the Committees on Appropriations, by not later than  
8 90 days after the end of the fiscal year covered by this  
9 Act, a report setting forth the reimbursable operating ex-  
10 penses of the Executive Residence during the preceding  
11 fiscal year, including the total amount of such expenses,  
12 the amount of such total that consists of reimbursable offi-  
13 cial and ceremonial events, the amount of such total that  
14 consists of reimbursable political events, and the portion  
15 of each such amount that has been reimbursed as of the  
16 date of the report: *Provided further*, That the Executive  
17 Residence shall maintain a system for the tracking of ex-  
18 penses related to reimbursable events within the Executive  
19 Residence that includes a standard for the classification  
20 of any such expense as political or nonpolitical: *Provided*  
21 *further*, That no provision of this paragraph may be con-  
22 strued to exempt the Executive Residence from any other  
23 applicable requirement of subchapter I or II of chapter  
24 37 of title 31, United States Code.



## 1           WHITE HOUSE REPAIR AND RESTORATION

2           For the repair, alteration, and improvement of the  
3 Executive Residence at the White House, \$4,225,000, to  
4 remain available until expended, for required maintenance,  
5 safety and health issues, and continued preventative main-  
6 tenance.

## 7           COUNCIL OF ECONOMIC ADVISERS

## 8                   SALARIES AND EXPENSES

9           For necessary expenses of the Council of Economic  
10 Advisors in carrying out its functions under the Employ-  
11 ment Act of 1946 (15 U.S.C. 1021), \$4,000,000.

## 12           OFFICE OF POLICY DEVELOPMENT

## 13                   SALARIES AND EXPENSES

14           For necessary expenses of the Office of Policy Devel-  
15 opment, including services as authorized by 5 U.S.C. 3109  
16 and 3 U.S.C. 107, \$4,109,000.

## 17           NATIONAL SECURITY COUNCIL

## 18                   SALARIES AND EXPENSES

19           For necessary expenses of the National Security  
20 Council, including services as authorized by 5 U.S.C.  
21 3109, \$9,000,000.

## 22           OFFICE OF ADMINISTRATION

## 23                   SALARIES AND EXPENSES

24           For necessary expenses of the Office of Administra-  
25 tion, including services as authorized by 5 U.S.C. 3109

1 and ~~3~~ U.S.C. 107, and hire of passenger motor vehicles,  
2 \$82,826,000, of which \$17,470,000 shall remain available  
3 until expended for the Capital Investment Plan for contin-  
4 ued modernization of the information technology infra-  
5 structure within the Executive Office of the President.

6 OFFICE OF MANAGEMENT AND BUDGET

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Management  
9 and Budget, including hire of passenger motor vehicles  
10 and services as authorized by ~~5~~ U.S.C. 3109 and to carry  
11 out the provisions of chapter ~~35~~ of title 44, United States  
12 Code, \$62,772,000 (reduced by \$500,000), of which not  
13 to exceed \$1,500 shall be available for official representa-  
14 tion expenses: *Provided*, That, as provided in ~~31~~ U.S.C.  
15 1301(a), appropriations shall be applied only to the ob-  
16 jects for which appropriations were made except as other-  
17 wise provided by law: *Provided further*, That none of the  
18 funds appropriated in this Act for the Office of Manage-  
19 ment and Budget may be used for the purpose of review-  
20 ing any agricultural marketing orders or any activities or  
21 regulations under the provisions of the Agricultural Mar-  
22 keting Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Pro-*  
23 *vided further*, That none of the funds made available for  
24 the Office of Management and Budget by this Act may  
25 be expended for the altering of the transcript of actual

1 testimony of witnesses, except for testimony of officials of  
2 the Office of Management and Budget, before the Com-  
3 mittees on Appropriations or the Committees on Veterans'  
4 Affairs or their subcommittees: *Provided further*, That the  
5 preceding shall not apply to printed hearings released by  
6 the Committees on Appropriations or the Committees on  
7 Veterans' Affairs: *Provided further*, That none of the  
8 funds appropriated in this Act may be available to pay  
9 the salary or expenses of any employee of the Office of  
10 Management and Budget who, after February 15, 2003,  
11 calculates, prepares, or approves any tabular or other ma-  
12 terial that proposes the sub-allocation of budget authority  
13 or outlays by the Committees on Appropriations among  
14 their subcommittees.

15 OFFICE OF NATIONAL DRUG CONTROL POLICY

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Office of National  
19 Drug Control Policy; for research activities pursuant to  
20 the Office of National Drug Control Policy Reauthoriza-  
21 tion Act of 1998 (21 U.S.C. 1701 et seq.) as amended;  
22 not to exceed \$10,000 for official reception and represen-  
23 tation expenses; and for participation in joint projects or  
24 in the provision of services on matters of mutual interest  
25 with nonprofit, research, or public organizations or agen-  
26 cies, with or without reimbursement, \$28,790,000; of

1 which \$2,850,000 shall remain available until expended,  
2 consisting of \$1,350,000 for policy research and evalua-  
3 tion, and \$1,500,000 for the National Alliance for Model  
4 State Drug Laws: *Provided*, That the Office is authorized  
5 to accept, hold, administer, and utilize gifts, both real and  
6 personal, public and private, without fiscal year limitation,  
7 for the purpose of aiding or facilitating the work of the  
8 Office.

9 COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses for the Counterdrug Tech-  
12 nology Assessment Center for research activities pursuant  
13 to the Office of National Drug Control Policy Reauthor-  
14 ization Act of 1998 (21 U.S.C. 1701 et seq.) as amended,  
15 \$40,000,000, which shall remain available until expended,  
16 consisting of \$18,000,000 for counternarcotics research  
17 and development projects, and \$22,000,000 for the contin-  
18 ued operation of the technology transfer program: *Pro-*  
19 *vided*, That the \$18,000,000 for counternarcotics research  
20 and development projects shall be available for transfer  
21 to other Federal departments or agencies.

22 FEDERAL DRUG CONTROL PROGRAMS

23 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

24 (INCLUDING TRANSFER OF FUNDS)

25 For necessary expenses of the Office of National  
26 Drug Control Policy's High Intensity Drug Trafficking

1 Areas Program, \$226,350,000, for drug control activities  
2 consistent with the approved strategy for each of the des-  
3 ignated High Intensity Drug Trafficking Areas, of which  
4 no less than 51 percent shall be transferred to State and  
5 local entities for drug control activities, which shall be ob-  
6 ligated within 120 days of the date of the enactment of  
7 this Act: *Provided*, That up to 49 percent, to remain avail-  
8 able until September 30, 2005, may be transferred to Fed-  
9 eral agencies and departments at a rate to be determined  
10 by the Director, of which not less than \$2,100,000 shall  
11 be used for auditing services and associated activities, and  
12 at least \$500,000 of the \$2,100,000 shall be used to de-  
13 velop and implement a data collection system to measure  
14 the performance of the High Intensity Drug Trafficking  
15 Areas Program: *Provided further*, That High Intensity  
16 Drug Trafficking Areas Programs designated as of Sep-  
17 tember 30, 2003, shall be funded at no less than the fiscal  
18 year 2003 initial allocation levels unless the Director sub-  
19 mits to the Committees on Appropriations, and the Com-  
20 mittees approve, justification for changes in those levels  
21 based on clearly articulated priorities for the High Inten-  
22 sity Drug Trafficking Areas Programs, as well as pub-  
23 lished Office of National Drug Control Policy performance  
24 measures of effectiveness: *Provided further*, That no funds  
25 of an amount in excess of the fiscal year 2004 budget re-

1 quest shall be obligated prior to the approval of the Com-  
2 mittee on Appropriations:

3           OTHER FEDERAL DRUG CONTROL PROGRAMS

4                   (INCLUDING TRANSFER OF FUNDS)

5           For activities to support a national anti-drug cam-  
6 paign for youth, and for other purposes, authorized by (21  
7 U.S.C. 1701 et seq.) as amended, \$230,000,000, to re-  
8 main available until expended, of which the following  
9 amounts are available as follows: \$150,000,000 to support  
10 a national media campaign; \$70,000,000 for a program  
11 of assistance and matching grants to local coalitions and  
12 other activities, as authorized in chapter 2 of the National  
13 Narcotics Leadership Act of 1988, as amended;  
14 \$4,500,000 for the Counterdrug Intelligence Executive  
15 Secretariat; \$2,000,000 for evaluations and research re-  
16 lated to National Drug Control Program performance  
17 measures; \$1,000,000 for the National Drug Court Insti-  
18 tute; \$1,500,000 for the United States Anti-Doping Agen-  
19 cy for anti-doping activities; and \$1,000,000 for the  
20 United States membership dues to the World Anti-Doping  
21 Agency: *Provided*, That such funds may be transferred to  
22 other Federal departments and agencies to carry out such  
23 activities: *Provided further*, That of the amounts appro-  
24 priated for a national media campaign, no less than 77

1 percent shall be used for the purchase of advertising time  
2 and space for the national media campaign.

3 UNANTICIPATED NEEDS

4 For expenses necessary to enable the President to  
5 meet unanticipated needs, in furtherance of the national  
6 interest, security, or defense which may arise at home or  
7 abroad during the current fiscal year, as authorized by  
8 ~~3 U.S.C. 108~~, \$1,000,000.

9 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE

10 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

11 SALARIES AND EXPENSES

12 For necessary expenses to enable the Vice President  
13 to provide assistance to the President in connection with  
14 specially assigned functions; services as authorized by ~~5~~  
15 ~~U.S.C. 3109~~ and ~~3 U.S.C. 106~~, including subsistence ex-  
16 penses as authorized by ~~3 U.S.C. 106~~, which shall be ex-  
17 pended and accounted for as provided in that section; and  
18 hire of passenger motor vehicles, \$4,461,000.

19 OPERATING EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For the care, operation, refurbishing, improvement,  
22 and to the extent not otherwise provided for, heating and  
23 lighting, including electric power and fixtures, of the offi-  
24 cial residence of the Vice President; the hire of passenger  
25 motor vehicles; and not to exceed \$90,000 for official en-  
26 tertainment expenses of the Vice President, to be ac-

1 counted for solely on his certificate, \$331,000: *Provided,*  
 2 That advances or repayments or transfers from this ap-  
 3 propriation may be made to any department or agency for  
 4 expenses of carrying out such activities.

5 TITLE V—INDEPENDENT AGENCIES

6 ARCHITECTURAL AND TRANSPORTATION

7 BARRIERS COMPLIANCE BOARD

8 SALARIES AND EXPENSES

9 For expenses necessary for the Architectural and  
 10 Transportation Barriers Compliance Board, as authorized  
 11 by section 502 of the Rehabilitation Act of 1973, as  
 12 amended \$5,401,000: *Provided,* That, notwithstanding  
 13 any other provision of law, there may be credited to this  
 14 appropriation funds received for publications and training  
 15 expenses, to be available for the purpose of this account.

16 NATIONAL TRANSPORTATION SAFETY BOARD

17 SALARIES AND EXPENSES

18 For necessary expenses of the National Transpor-  
 19 tation Safety Board, including hire of passenger motor ve-  
 20 hicles and aircraft; services as authorized by 5 U.S.C.  
 21 3109, but at rates for individuals not to exceed the per  
 22 diem rate equivalent to the rate for a GS-15; uniforms;  
 23 or allowances therefor, as authorized by law (5 U.S.C.  
 24 5901-5902) \$76,679,000, of which not to exceed \$2,000



1 may be used for official reception and representation ex-  
2 penses.

3                                   EMERGENCY FUND

4           For necessary expenses of the National Transpor-  
5 tation Safety Board for accident investigations, \$600,000,  
6 to remain available until expended: *Provided*, That these  
7 funds shall be available only to the extent necessary to  
8 restore the balance of the emergency fund to \$2,000,000  
9 (~~29 U.S.C. 1118(b)~~).

10                   COMMITTEE FOR PURCHASE FROM PEOPLE

11                   WHO ARE BLIND OR SEVERELY DISABLED

12                                   SALARIES AND EXPENSES

13           For necessary expenses of the Committee for Pur-  
14 chase From People Who Are Blind or Severely Disabled  
15 established by Public Law ~~92-28~~, \$4,725,000.

16                   FEDERAL ELECTION COMMISSION

17                                   SALARIES AND EXPENSES

18           For necessary expenses to carry out the provisions  
19 of the Federal Election Campaign Act of 1971, as amend-  
20 ed, \$50,440,000, of which no less than \$6,389,900 shall  
21 be available for internal automated data processing sys-  
22 tems, and of which not to exceed \$5,000 shall be available  
23 for reception and representation expenses.

## 1 ELECTION ASSISTANCE COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses to carry out the Help Amer-  
4 ica Vote Act of 2002, \$5,000,000.

## 5 ELECTION REFORM PROGRAMS

6 For necessary expenses to carry out a program of re-  
7 quirements payments to States as authorized by Section  
8 257 of the Help America Vote Act of 2002, \$495,000,000:  
9 *Provided*, That no more that  $\frac{1}{10}$  of 1 percent of funds  
10 available for requirements payments under Section 257 of  
11 the Help America Vote Act of 2002 shall be allocated to  
12 any territory.

## 13 FEDERAL LABOR RELATIONS AUTHORITY

## 14 SALARIES AND EXPENSES

15 For necessary expenses to carry out functions of the  
16 Federal Labor Relations Authority, pursuant to Reorga-  
17 nization Plan Numbered 2 of 1978, and the Civil Service  
18 Reform Act of 1978, including services authorized by 5  
19 U.S.C. 3109, and including hire of experts and consult-  
20 ants, hire of passenger motor vehicles, and rental of con-  
21 ference rooms in the District of Columbia and elsewhere,  
22 \$29,611,000: *Provided*, That public members of the Fed-  
23 eral Service Impasses Panel may be paid travel expenses  
24 and per diem in lieu of subsistence as authorized by law  
25 (5 U.S.C. 5703) for persons employed intermittently in

1 the Government service, and compensation as authorized  
 2 by ~~5 U.S.C. 3109~~: *Provided further*, That notwithstanding  
 3 ~~31 U.S.C. 3302~~, funds received from fees charged to non-  
 4 Federal participants at labor-management relations con-  
 5 ferences shall be credited to and merged with this account,  
 6 to be available without further appropriation for the costs  
 7 of carrying out these conferences.

## 8 FEDERAL MARITIME COMMISSION

### 9 SALARIES AND EXPENSES

10 For necessary expenses of the Federal Maritime  
 11 Commission as authorized by section 201(d) of the Mer-  
 12 chant Marine Act, 1936, as amended (~~46 U.S.C. App.~~  
 13 ~~1111~~), including services as authorized by ~~5 U.S.C. 3109~~;  
 14 hire of passenger motor vehicles as authorized by ~~31~~  
 15 ~~U.S.C. 1343(b)~~; and uniforms or allowances therefore, as  
 16 authorized by ~~5 U.S.C. 5901-5902~~, \$18,471,000: *Pro-*  
 17 *vided*, That not to exceed \$2,000 shall be available for offi-  
 18 cial reception and representation expenses.

## 19 GENERAL SERVICES ADMINISTRATION

### 20 REAL PROPERTY ACTIVITIES

#### 21 (FEDERAL BUILDINGS FUND)

#### 22 (LIMITATIONS ON AVAILABILITY OF REVENUE)

#### 23 (INCLUDING TRANSFER OF FUNDS)

24 For an additional amount to be deposited in, and to  
 25 be used for the purposes of, the Fund established pursu-  
 26 ant to section 210(f) of the Federal Property and Admin-

1 istrative Services Act of 1949, as amended (40 U.S.C.  
2 592), \$247,350,000. The revenues and collections depos-  
3 ited into the Fund shall be available for necessary ex-  
4 penses of real property management and related activities  
5 not otherwise provided for, including operation, mainte-  
6 nance, and protection of federally owned and leased build-  
7 ings; rental of buildings in the District of Columbia; res-  
8 toration of leased premises; moving governmental agencies  
9 (including space adjustments and telecommunications re-  
10 location expenses) in connection with the assignment, allo-  
11 cation and transfer of space; contractual services incident  
12 to cleaning or servicing buildings, and moving; repair and  
13 alteration of federally owned buildings including grounds,  
14 approaches and appurtenances; care and safeguarding of  
15 sites; maintenance, preservation, demolition, and equip-  
16 ment; acquisition of buildings and sites by purchase, con-  
17 demnation, or as otherwise authorized by law; acquisition  
18 of options to purchase buildings and sites; conversion and  
19 extension of federally owned buildings; preliminary plan-  
20 ning and design of projects by contract or otherwise; con-  
21 struction of new buildings (including equipment for such  
22 buildings); and payment of principal, interest, and any  
23 other obligations for public buildings acquired by install-  
24 ment purchase and purchase contract; in the aggregate  
25 amount of \$6,557,518,000, of which: (1) \$406,168,000

1 shall remain available until expended for construction (in-  
2 cluding funds for sites and expenses and associated design  
3 and construction services) of additional projects at the fol-  
4 lowing locations:

5       New Construction:

6           California:

7                 San Diego, Border Station, \$34,211,000.

8           Georgia:

9                 Atlanta, Tuttle Building Annex,  
10                 \$10,600,000.

11          Maine:

12                 Jackman, Border Station, \$7,712,000.

13          Maryland:

14                 Suitland, United States Census Bureau,  
15                 \$146,451,000.

16          Michigan:

17                 Detroit, Ambassador Bridge Border Sta-  
18                 tion, \$25,387,000.

19          New York:

20                 Champlain, Border Station, \$31,031,000.

21          Texas:

22                 Del Rio, Border Station, \$23,966,000.

23                 Eagle Pass, Border Station, \$31,980,000.

24                 Houston, Federal Bureau of Investigation,  
25                 \$58,080,000.

1                   McAllen, Border Station, \$17,938,000.

2                   Washington:

3                   Blaine, Border Station, \$9,812,000.

4                   Nonprospective Construction, \$9,000,000:

5 *Provided*, That each of the foregoing limits of costs on  
6 new construction projects may be exceeded to the extent  
7 that savings are effected in other such projects, but not  
8 to exceed 10 percent of the amounts included in an ap-  
9 proved prospectus, if required, unless advance approval is  
10 obtained from the Committees on Appropriations of a  
11 greater amount: *Provided further*, That all funds for direct  
12 construction projects shall expire on September 30, 2005,  
13 and remain in the Federal Buildings Fund except for  
14 funds for projects as to which funds for design or other  
15 funds have been obligated in whole or in part prior to such  
16 date; (2) \$1,010,454,000 shall remain available until ex-  
17 pended for repairs and alterations, which includes associ-  
18 ated design and construction services:

19                   Colorado:

20                   Denver, Byron G. Rogers Federal Build-  
21                   ing—Courthouse, \$39,436,000.

22                   District of Columbia:

23                   320 First Street, \$7,485,000.

24                   Eisenhower Executive Office Building,  
25                   \$65,757,000.

1 Federal Office Building 8, \$134,872,000.

2 Main Interior Building, \$15,603,000.

3 Fire & Life Safety, \$68,188,000.

4 Georgia:

5 Atlanta, Richard B. Russell Federal Build-  
6 ing, \$32,173,000.

7 Illinois:

8 Chicago, Dirksen Courthouse & Kluezyński  
9 Federal Building, \$24,056,000.

10 Springfield, Paul H. Findley Federal  
11 Building—Courthouse, \$6,183,000.

12 Massachusetts:

13 Boston, John W. McCormack Post Office  
14 and Courthouse, \$73,037,000.

15 New York:

16 Brooklyn, Emanuel Celler Courthouse,  
17 \$65,511,000.

18 North Dakota:

19 Fargo, Federal Building—Post Office,  
20 \$5,801,000.

21 Ohio:

22 Columbus, John W. Bricker Federal Build-  
23 ing, \$10,707,000.

24 Washington:

1 Auburn, Building 7, Auburn Federal  
2 Building, \$18,315,000.

3 Seattle, Henry M. Jackson Federal Build-  
4 ing, \$6,868,000.

5 Special Emphasis Programs:

6 Chlorofluorocarbons Program, \$5,000,000.

7 Energy Program, \$5,000,000.

8 Glass Fragmentation Program,  
9 \$20,000,000.

10 Design Program, \$41,462,000.

11 Basic Repairs and Alterations, \$365,000,000.

12 *Provided further,* That of the funds provided in this Act  
13 for the repair of the Eisenhower Executive Office Build-  
14 ing, \$30,757,000 is not available for obligation until 15  
15 days after the Executive Office of the President submits  
16 a report to the Committees on Appropriations regarding  
17 the use of non-Federal funding in renovation and fur-  
18 nishing efforts for the Eisenhower Executive Office Build-  
19 ing. *Provided further,* That funds made available in any  
20 previous Act in the Federal Buildings Fund for Repairs  
21 and Alterations shall, for prospectus projects, be limited  
22 to the amount identified for each project, except each  
23 project in any previous Act may be increased by an  
24 amount not to exceed 10 percent unless advance approval  
25 is obtained from the Committees on Appropriations of a



1 greater amount: *Provided further*, That additional projects  
2 for which prospectuses have been fully approved may be  
3 funded under this category only if advance approval is ob-  
4 tained from the Committees on Appropriations: *Provided*  
5 *further*, That the amounts provided in this or any prior  
6 Act for “Repairs and Alterations” may be used to fund  
7 costs associated with implementing security improvements  
8 to buildings necessary to meet the minimum standards for  
9 security in accordance with current law and in compliance  
10 with the reprogramming guidelines of the appropriate  
11 Committees of the House and Senate: *Provided further*,  
12 That the difference between the funds appropriated and  
13 expended on any projects in this or any prior Act, under  
14 the heading “Repairs and Alterations”, may be trans-  
15 ferred to Basic Repairs and Alterations or used to fund  
16 authorized increases in prospectus projects: *Provided fur-*  
17 *ther*, That all funds for repairs and alterations prospectus  
18 projects shall expire on September 30, 2005 and remain  
19 in the Federal Buildings Fund except funds for projects  
20 as to which funds for design or other funds have been obli-  
21 gated in whole or in part prior to such date: *Provided fur-*  
22 *ther*, That the amount provided in this or any prior Act  
23 for Basic Repairs and Alterations may be used to pay  
24 claims against the Government arising from any projects  
25 under the heading “Repairs and Alterations” or used to

1 fund authorized increases in prospectus projects; (3)  
2 \$169,745,000 for installment acquisition payments includ-  
3 ing payments on purchase contracts which shall remain  
4 available until expended; (4) \$3,308,187,000 for rental of  
5 space which shall remain available until expended; and (5)  
6 \$1,608,708,000 for building operations which shall remain  
7 available until expended: *Provided further,* That funds  
8 available to the General Services Administration shall not  
9 be available for expenses of any construction, repair, alter-  
10 ation and acquisition project for which a prospectus, if re-  
11 quired by the Public Buildings Act of 1959, as amended,  
12 has not been approved, except that necessary funds may  
13 be expended for each project for required expenses for the  
14 development of a proposed prospectus: *Provided further,*  
15 That funds available in the Federal Buildings Fund may  
16 be expended for emergency repairs when advance approval  
17 is obtained from the Committees on Appropriations: *Pro-*  
18 *vided further,* That amounts necessary to provide reim-  
19 bursable special services to other agencies under section  
20 210(f)(6) of the Federal Property and Administrative  
21 Services Act of 1949, as amended (40 U.S.C. 592(b)(2))  
22 and amounts to provide such reimbursable fencing, light-  
23 ing, guard booths, and other facilities on private or other  
24 property not in Government ownership or control as may  
25 be appropriate to enable the United States Secret Service

1 to perform its protective functions pursuant to 18 U.S.C.  
2 3056, shall be available from such revenues and collec-  
3 tions: *Provided further*, That revenues and collections and  
4 any other sums accruing to this Fund during fiscal year  
5 2004, excluding reimbursements under section 210(f)(6)  
6 of the Federal Property and Administrative Services Act  
7 of 1949 (~~40 U.S.C. 592(b)(2)~~) in excess of  
8 \$6,557,518,000 shall remain in the Fund and shall not  
9 be available for expenditure except as authorized in appro-  
10 priations Acts.

11 ~~GENERAL ACTIVITIES~~

12 ~~GOVERNMENT-WIDE POLICY~~

13 For expenses authorized by law, not otherwise pro-  
14 vided for, for Government-wide policy and evaluation ac-  
15 tivities associated with the management of real and per-  
16 sonal property assets and certain administrative services;  
17 Government-wide policy support responsibilities relating to  
18 acquisition, telecommunications, information technology  
19 management, and related technology activities; and serv-  
20 ices as authorized by ~~5 U.S.C. 3109~~, \$56,383,000.

21 ~~OPERATING EXPENSES~~

22 For expenses authorized by law, not otherwise pro-  
23 vided for, for Government-wide activities associated with  
24 utilization and donation of surplus personal property; dis-  
25 posal of real property; telecommunications, information  
26 technology management, and related technology activities;

1 providing Internet access to Federal information and serv-  
2 ices; agency-wide policy direction and management, and  
3 Board of Contract Appeals; accounting, records manage-  
4 ment, and other support services incident to adjudication  
5 of Indian Tribal Claims by the United States Court of  
6 Federal Claims; services as authorized by 5 U.S.C. 3109;  
7 and not to exceed \$7,500 for official reception and rep-  
8 resentation expenses, \$79,110,000.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector  
11 General and services authorized by 5 U.S.C. 3109,  
12 ~~\$39,169,000~~: *Provided*, That not to exceed \$15,000 shall  
13 be available for payment for information and detection of  
14 fraud against the Government, including payment for re-  
15 covery of stolen Government property: *Provided further*,  
16 That not to exceed \$2,500 shall be available for awards  
17 to employees of other Federal agencies and private citizens  
18 in recognition of efforts and initiatives resulting in en-  
19 hanced Office of Inspector General effectiveness.

20 ELECTRONIC GOVERNMENT FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses in support of interagency  
23 projects that enable the Federal Government to expand  
24 its ability to conduct activities electronically, through the  
25 development and implementation of innovative uses of the  
26 Internet and other electronic methods, ~~\$1,000,000~~, to re-

1 main available until expended: *Provided*, That these funds  
 2 may be transferred to Federal agencies to carry out the  
 3 purposes of the Fund: *Provided further*, That this transfer  
 4 authority shall be in addition to any other transfer author-  
 5 ity provided in this Act: *Provided further*, That such trans-  
 6 fers may not be made until 10 days after a proposed  
 7 spending plan and justification for each project to be un-  
 8 dertaken has been submitted to the Committees on Appro-  
 9 priations.

10           ALLOWANCES AND OFFICE STAFF FOR FORMER

11                                 PRESIDENTS

12                                 (INCLUDING TRANSFER OF FUNDS)

13           For carrying out the provisions of the Act of August  
 14 25, 1958, as amended (3 U.S.C. 102 note), and Public  
 15 Law 95-138, \$3,393,000: *Provided*, That the Adminis-  
 16 trator of General Services shall transfer to the Secretary  
 17 of the Treasury such sums as may be necessary to carry  
 18 out the provisions of such Acts.

19           GENERAL PROVISIONS—GENERAL SERVICES

20                                 ADMINISTRATION

21           SEC. 501. The appropriate appropriation or fund  
 22 available to the General Services Administration shall be  
 23 credited with the cost of operation, protection, mainte-  
 24 nance, upkeep, repair, and improvement, included as part

1 of rentals received from Government corporations pursu-  
2 ant to law (40 U.S.C. 129).

3       SEC. 502. Funds available to the General Services  
4 Administration shall be available for the hire of passenger  
5 motor vehicles.

6       SEC. 503. Funds in the Federal Buildings Fund  
7 made available for fiscal year 2004 for Federal Buildings  
8 Fund activities may be transferred between such activities  
9 only to the extent necessary to meet program require-  
10 ments: *Provided*, That any proposed transfers shall be ap-  
11 proved in advance by the Committees on Appropriations.

12       SEC. 504. No funds made available by this Act shall  
13 be used to transmit a fiscal year 2005 request for United  
14 States Courthouse construction that: (1) does not meet  
15 the design guide standards for construction as established  
16 and approved by the General Services Administration, the  
17 Judicial Conference of the United States, and the Office  
18 of Management and Budget; and (2) does not reflect the  
19 priorities of the Judicial Conference of the United States  
20 as set out in its approved 5-year construction plan: *Pro-*  
21 *vided*, That the fiscal year 2005 request must be accom-  
22 panied by a standardized courtroom utilization study of  
23 each facility to be constructed, replaced, or expanded.

24       SEC. 505. None of the funds provided in this Act may  
25 be used to increase the amount of occupiable square feet,

1 provide cleaning services, security enhancements, or any  
2 other service usually provided through the Federal Build-  
3 ings Fund, to any agency that does not pay the rate per  
4 square foot assessment for space and services as deter-  
5 mined by the General Services Administration in compli-  
6 ance with the Public Buildings Amendments Act of 1972  
7 (Public Law 92-313).

8       SEC. 506. Funds provided to other Government agen-  
9 cies by the Information Technology Fund, General Serv-  
10 ices Administration, under section 110 of the Federal  
11 Property and Administrative Services Act of 1949 (40  
12 U.S.C. 757) and sections 5124(b) and 5128 of the  
13 Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428),  
14 for performance of pilot information technology projects  
15 which have potential for Government-wide benefits and  
16 savings, may be repaid to this Fund from any savings ac-  
17 tually incurred by these projects or other funding, to the  
18 extent feasible.

19       SEC. 507. From funds made available under the  
20 heading “Federal Buildings Fund, Limitations on Avail-  
21 ability of Revenue”, claims against the Government of less  
22 than \$250,000 arising from direct construction projects  
23 and acquisition of buildings may be liquidated from sav-  
24 ings effected in other construction projects with prior noti-  
25 fication to the Committees on Appropriations.

1       SEC. 508. None of the funds in this Act may be used  
2 by the General Services Administration to develop or im-  
3 plement a mandatory system without exceptions that re-  
4 quires agencies Government-wide to use a specific elec-  
5 tronic travel solution or the eTravel Service: *Provided,*  
6 That this section shall also apply to the Department of  
7 Transportation in any development of electronic travel so-  
8 lutions for its modal administrations.

9       SEC. 509. (a) The Administrator of General Services  
10 shall carry out the authority of the Election Assistance  
11 Commission to make election assistance payments under  
12 subtitle D of title II of the Help America Vote Act of  
13 2002, including the authority under such subtitle to re-  
14 ceive statements and applications from entities seeking  
15 such payments and reports from entities receiving such  
16 payments.

17       (b) The authority of the Administrator of General  
18 Services under subsection (a) shall apply with respect to  
19 amounts appropriated for fiscal year 2004 and amounts  
20 appropriated for fiscal year 2003 which remain unobli-  
21 gated and unexpended at the end of fiscal year 2003, ex-  
22 cept that this authority shall expire upon the earlier of—

23               (1) the expiration of the 3-month period which  
24       begins on the date on which all members of the  
25       Election Assistance Commission are appointed; or



1           (2) June 30, 2004.

2           (e) Upon the appointment of all members of the Elec-  
3 tion Assistance Commission, the Administrator of General  
4 Services shall transmit to the Commission all statements,  
5 applications, and reports received by the Administrator in  
6 carrying out this section.

7           SEC. 510. None of the funds made available in this  
8 Act may be used by the General Services Administration  
9 to establish a quick response team processing center on  
10 East Brainerd Road in Chattanooga, Tennessee.

11           MERIT SYSTEMS PROTECTION BOARD

12                           SALARIES AND EXPENSES

13                                   (INCLUDING TRANSFER OF FUNDS)

14           For necessary expenses to carry out functions of the  
15 Merit Systems Protection Board pursuant to Reorganiza-  
16 tion Plan Numbered 2 of 1978 and the Civil Service Re-  
17 form Act of 1978, including services as authorized by 5  
18 U.S.C. 3109, rental of conference rooms in the District  
19 of Columbia and elsewhere, hire of passenger motor vehi-  
20 cles, and direct procurement of survey printing,  
21 \$32,877,000, together with not to exceed \$2,626,000 for  
22 administrative expenses to adjudicate retirement appeals  
23 to be transferred from the Civil Service Retirement and  
24 Disability Fund in amounts determined by the Merit Sys-  
25 tems Protection Board.

1 MORRIS K. UDALL SCHOLARSHIP AND EXCEL-  
2 LENCE IN NATIONAL ENVIRONMENTAL  
3 POLICY FOUNDATION

4 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN  
5 NATIONAL ENVIRONMENTAL POLICY TRUST FUND

6 For payment to the Morris K. Udall Scholarship and  
7 Excellence in National Environmental Policy Trust Fund,  
8 pursuant to the Morris K. Udall Scholarship and Excel-  
9 lence in National Environmental and Native American  
10 Public Policy Act of 1992 (20 U.S.C. 5601 et seq.);  
11 \$1,300,000, to remain available until expended of which  
12 \$100,000 shall be used to conduct financial audits pursu-  
13 ant to the Accountability of Tax Dollars Act of 2002 (Pub-  
14 lic Law 107-289) notwithstanding sections 8 and 9 of  
15 Public Law 102-259: *Provided*, That up to 70 percent of  
16 such funds may be transferred by the Morris K. Udall  
17 Scholarship and Excellence in National Environmental  
18 Policy Foundation for the necessary expenses of the Na-  
19 tive Nations Institute.

20 ENVIRONMENTAL DISPUTE RESOLUTION FUND

21 For payment to the Environmental Dispute Resolu-  
22 tion Fund to carry out activities authorized in the Envi-  
23 ronmental Policy and Conflict Resolution Act of 1998,  
24 \$1,300,000, to remain available until expended.

## 1 NATIONAL ARCHIVES AND RECORDS

## 2 ADMINISTRATION

## 3 OPERATING EXPENSES

4 For necessary expenses in connection with the admin-  
5 istration of the National Archives and Records Adminis-  
6 tration (including the Information Security Oversight Of-  
7 fice) and archived Federal records and related activities,  
8 as provided by law, and for expenses necessary for the re-  
9 view and declassification of documents, and for the hire  
10 of passenger motor vehicles, \$255,191,000: *Provided,*  
11 That the Archivist of the United States is authorized to  
12 use any excess funds available from the amount borrowed  
13 for construction of the National Archives facility, for ex-  
14 penses necessary to provide adequate storage for holdings:  
15 *Provided further,* That, of the funds provided in this para-  
16 graph, \$600,000 shall be for the preservation of the  
17 records of the Freedmen's Bureau.

## 18 ELECTRONIC RECORDS ARCHIVE

19 For necessary expenses in connection with the devel-  
20 opment of an electronic records archive, to include all di-  
21 rect project costs associated with research, analysis, de-  
22 sign, development, and program management,  
23 \$35,914,000, of which \$22,000,000 shall remain available  
24 until September 30, 2006.

## 1                                REPAIRS AND RESTORATION

2            For the repair, alteration, and improvement of ar-  
3 chives facilities, and to provide adequate storage for hold-  
4 ings, \$6,458,000, to remain available until expended, of  
5 which \$500,000 is for the Military Personnel Records  
6 Center requirements study.

## 7                                NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

## 8    COMMISSION

## 9    GRANTS PROGRAM

10           For necessary expenses for allocations and grants for  
11 historical publications and records as authorized by 44  
12 U.S.C. 2504, as amended, \$10,000,000, to remain avail-  
13 able until expended.

## 14                                OFFICE OF GOVERNMENT ETHICS

## 15    SALARIES AND EXPENSES

16           For necessary expenses to carry out functions of the  
17 Office of Government Ethics pursuant to the Ethics in  
18 Government Act of 1978, as amended and the Ethics Re-  
19 form Act of 1989, including services as authorized by 5  
20 U.S.C. 3109, rental of conference rooms in the District  
21 of Columbia and elsewhere, hire of passenger motor vehi-  
22 cles, and not to exceed \$1,500 for official reception and  
23 representation expenses, \$10,738,000.

## 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 Re-  
7 form Act of 1978, including services as authorized by 5  
8 U.S.C. 3109; medical examinations performed for veterans  
9 by private physicians on a fee basis; rental of conference  
10 rooms in the District of Columbia and elsewhere; hire of  
11 passenger motor vehicles; not to exceed \$2,500 for official  
12 reception and representation expenses; advances for reim-  
13 bursements to applicable funds of the Office of Personnel  
14 Management and the Federal Bureau of Investigation for  
15 expenses incurred under Executive Order No. 10422 of  
16 January 9, 1953, as amended; and payment of per diem  
17 and/or subsistence allowances to employees where Voting  
18 Rights Act activities require an employee to remain over-  
19 night at his or her post of duty, \$119,498,000, of which  
20 \$2,000,000 shall remain available until expended for the  
21 cost of the enterprise human resources integration project,  
22 \$2,500,000 shall remain available until expended for the  
23 cost of leading the Government-wide initiative to mod-  
24 ernize Federal payroll systems and service delivery, and  
25 \$2,500,000 shall remain available through September 30,

1 2005 to coordinate and conduct program evaluation and  
2 performance measurement; and in addition \$126,854,000  
3 for administrative expenses, to be transferred from the ap-  
4 propriate trust funds of the Office of Personnel Manage-  
5 ment without regard to other statutes, including direct  
6 procurement of printed materials, for the retirement and  
7 insurance programs, of which \$27,640,000 shall remain  
8 available until expended for the cost of automating the re-  
9 tirement recordkeeping systems: *Provided*, That the provi-  
10 sions of this appropriation shall not affect the authority  
11 to use applicable trust funds as provided by sections  
12 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A) and (2)(A) of  
13 title 5, United States Code: *Provided further*, That no part  
14 of this appropriation shall be available for salaries and ex-  
15 penses of the Legal Examining Unit of the Office of Per-  
16 sonnel Management established pursuant to Executive  
17 Order No. 9358 of July 1, 1943, or any successor unit  
18 of like purpose: *Provided further*, That the President's  
19 Commission on White House Fellows, established by Exec-  
20 utive Order No. 11183 of October 3, 1964, may, during  
21 fiscal year 2004, accept donations of money, property, and  
22 personal services in connection with the development of  
23 a publicity brochure to provide information about the  
24 White House Fellows, except that no such donations shall

1 be accepted for travel or reimbursement of travel expenses,  
2 or for the salaries of employees of such Commission.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF TRUST FUNDS)

6 For necessary expenses of the Office of Inspector  
7 General in carrying out the provisions of the Inspector  
8 General Act, as amended, including services as authorized  
9 by 5 U.S.C. 3109, hire of passenger motor vehicles,  
10 \$1,498,000, and in addition, not to exceed \$14,427,000  
11 for administrative expenses to audit, investigate, and pro-  
12 vide other oversight of the Office of Personnel Manage-  
13 ment's retirement and insurance programs, to be trans-  
14 ferred from the appropriate trust funds of the Office of  
15 Personnel Management, as determined by the Inspector  
16 General: *Provided*, That the Inspector General is author-  
17 ized to rent conference rooms in the District of Columbia  
18 and elsewhere.

19 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

20 HEALTH BENEFITS

21 For payment of Government contributions with re-  
22 spect to retired employees, as authorized by chapter 89  
23 of title 5, United States Code, and the Retired Federal  
24 Employees Health Benefits Act (74 Stat. 849), as amend-  
25 ed, such sums as may be necessary.

1 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE  
2 LIFE INSURANCE

3 For payment of Government contributions with re-  
4 spect to employees retiring after December 31, 1989, as  
5 required by chapter 87 of title 5, United States Code, such  
6 sums as may be necessary.

7 PAYMENT TO CIVIL SERVICE RETIREMENT AND  
8 DISABILITY FUND

9 For financing the unfunded liability of new and in-  
10 creased annuity benefits becoming effective on or after Oc-  
11 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-  
12 nuities under special Acts to be credited to the Civil Serv-  
13 ice Retirement and Disability Fund, such sums as may  
14 be necessary: *Provided*, That annuities authorized by the  
15 Act of May 29, 1944, as amended, and the Act of August  
16 19, 1950, as amended (33 U.S.C. 771-775), may here-  
17 after be paid out of the Civil Service Retirement and Dis-  
18 ability Fund.

19 HUMAN CAPITAL PERFORMANCE FUND  
20 (INCLUDING TRANSFER OF FUNDS)

21 For a human capital performance fund, \$2,500,000:  
22 *Provided*, That such amount shall not be available for obli-  
23 gation or transfer until enactment of legislation that es-  
24 tablishes a human capital performance fund within the Of-  
25 fice of Personnel Management: *Provided further*, That



1 such amounts as determined by the Director of the Office  
2 of Personnel Management may be transferred to Federal  
3 agencies to carry out the purposes of this fund as author-  
4 ized: *Provided further*, That no funds shall be available  
5 for obligation or transfer to any Federal agency until the  
6 Director has notified the relevant subcommittees of jurisdic-  
7 tion of the Committees on Appropriations of the ap-  
8 proval of a performance pay plan for that agency, and the  
9 prior approval of such subcommittees has been attained.

#### 10 OFFICE OF SPECIAL COUNSEL

##### 11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the  
13 Office of Special Counsel pursuant to Reorganization Plan  
14 Numbered 2 of 1978, the Civil Service Reform Act of  
15 1978 (Public Law 95-454), as amended, the Whistle-  
16 blower Protection Act of 1989 (Public Law 101-12), as  
17 amended, Public Law 103-424, and the Uniformed Serv-  
18 ices Employment and Reemployment Act of 1994 (Public  
19 Law 103-353), including services as authorized by 5  
20 U.S.C. 3109, payment of fees and expenses for witnesses,  
21 rental of conference rooms in the District of Columbia and  
22 elsewhere, and hire of passenger motor vehicles;  
23 \$13,504,000.

## 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 \$40,187,000: *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  
8 MOMENT OF REMEMBRANCE

9 For necessary expenses of the White House Commis-  
10 sion on the National Moment of Remembrance, \$250,000.

## 11 TITLE VI—GENERAL PROVISIONS

## 12 THIS ACT

## 13 (INCLUDING TRANSFERS OF FUNDS)

14 SEC. 601. During the current fiscal year applicable  
15 appropriations to the Department of Transportation shall  
16 be available for maintenance and operation of aircraft;  
17 hire of passenger motor vehicles and aircraft; purchase of  
18 liability insurance for motor vehicles operating in foreign  
19 countries on official department business; and uniforms,  
20 or allowances therefor, as authorized by law (5 U.S.C.  
21 5901–5902).

22 SEC. 602. Such sums as may be necessary for fiscal  
23 year 2004 pay raises for programs funded in this Act shall  
24 be absorbed within the levels appropriated in this Act or  
25 previous appropriations Acts.

1       SEC. 603. Appropriations contained in this Act for  
2 the Department of Transportation shall be available for  
3 services as authorized by 5 U.S.C. 3109, but at rates for  
4 individuals not to exceed the per diem rate equivalent to  
5 the rate for an Executive Level IV.

6       SEC. 604. None of the funds in this Act shall be avail-  
7 able for salaries and expenses of more than 110 political  
8 and Presidential appointees in the Department of Trans-  
9 portation: *Provided*, That none of the personnel covered  
10 by this provision may be assigned on temporary detail out-  
11 side the Department of Transportation.

12       SEC. 605. None of the funds in this Act shall be used  
13 for the planning or execution of any program to pay the  
14 expenses of, or otherwise compensate, non-Federal parties  
15 intervening in regulatory or adjudicatory proceedings  
16 funded in this Act.

17       SEC. 606. None of the funds appropriated in this Act  
18 shall remain available for obligation beyond the current  
19 fiscal year, nor may any be transferred to other appropria-  
20 tions, unless expressly so provided herein.

21       SEC. 607. The expenditure of any appropriation  
22 under this Act for any consulting service through procure-  
23 ment contract pursuant to section 3109 of title 5, United  
24 States Code, shall be limited to those contracts where such  
25 expenditures are a matter of public record and available

1 for public inspection, except where otherwise provided  
2 under existing law, or under existing Executive order  
3 issued pursuant to existing law.

4       SEC. 608. None of the funds in this Act shall be used  
5 to implement section 404 of title 23, United States Code.

6       SEC. 609. (a) No recipient of funds made available  
7 in this Act shall disseminate personal information (as de-  
8 fined in 18 U.S.C. 2725(3)) obtained by a State depart-  
9 ment of motor vehicles in connection with a motor vehicle  
10 record as defined in 18 U.S.C. 2725(1), except as provided  
11 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.  
12 2721.

13       (b) Notwithstanding subsection (a), no department or  
14 agency shall withhold funds provided in this Act for any  
15 grantee if a State is in noncompliance with this provision.

16       SEC. 610. Funds received by the Federal Highway  
17 Administration, Federal Transit Administration, and Fed-  
18 eral Railroad Administration from States, counties, mu-  
19 nicipalities, other public authorities, and private sources  
20 for expenses incurred for training may be credited respec-  
21 tively to the Federal Highway Administration's "Federal-  
22 Aid Highways" account, the Federal Transit Administra-  
23 tion's "Transit Planning and Research" account, and to  
24 the Federal Railroad Administration's "Safety and Oper-

1 ations<sup>22</sup> account, except for State rail safety inspectors  
2 participating in training pursuant to 49 U.S.C. 20105.

3       SEC. 611. Notwithstanding any other provision of  
4 law, rule or regulation, the Secretary of Transportation  
5 is authorized to allow the issuer of any preferred stock  
6 heretofore sold to the Department to redeem or repur-  
7 chase such stock upon the payment to the Department of  
8 an amount determined by the Secretary.

9       SEC. 612. None of the funds in title I of this Act  
10 may be used to make a grant unless the Secretary of  
11 Transportation notifies the House and Senate Committees  
12 on Appropriations not less than 3 full business days before  
13 any discretionary grant award, letter of intent, or full  
14 funding grant agreement totaling \$1,000,000 or more is  
15 announced by the department or its modal administrations  
16 from: (1) any discretionary grant program of the Federal  
17 Highway Administration other than the emergency relief  
18 program; (2) the airport improvement program of the  
19 Federal Aviation Administration; or (3) any program of  
20 the Federal Transit Administration other than the for-  
21 mula grants and fixed guideway modernization programs:  
22 *Provided*, That no notification shall involve funds that are  
23 not available for obligation.

24       SEC. 613. For the purpose of any applicable law, for  
25 fiscal year 2004, the city of Norman, Oklahoma, shall be

1 considered to be part of the Oklahoma City Transpor-  
2 tation Management Area.

3       SEC. 614. None of the funds in this Act may be obli-  
4 gated for the Office of the Secretary of Transportation  
5 to approve assessments or reimbursable agreements per-  
6 taining to funds appropriated to the modal administra-  
7 tions in this Act, except for activities underway on the  
8 date of enactment of this Act, unless such assessments  
9 or agreements have completed the normal reprogramming  
10 process for Congressional notification.

11       SEC. 615. None of the funds made available in this  
12 Act may be transferred to any department, agency, or in-  
13 strumentality of the United States Government, except  
14 pursuant to a transfer made by, or transfer authority pro-  
15 vided in, this Act or any other appropriations Act.

16       SEC. 616. Rebates, refunds, incentive payments,  
17 minor fees and other funds received by the Department  
18 of Transportation from travel management centers,  
19 charge card programs, the subleasing of building space,  
20 and miscellaneous sources are to be credited to appropria-  
21 tions of the Department of Transportation and allocated  
22 to elements of the Department of Transportation using  
23 fair and equitable criteria and such funds shall be avail-  
24 able until expended.

1       SEC. 617. Amounts made available in this or any  
2 other Act that the Secretary determines represent im-  
3 proper payments by the Department of Transportation to  
4 a third party contractor under a financial assistance  
5 award, which are recovered pursuant to law, shall be avail-  
6 able—

7           (1) to reimburse the actual expenses incurred  
8 by the Department of Transportation in recovering  
9 improper payments; and

10          (2) to pay contractors for services provided in  
11 recovering improper payments: *Provided*, That  
12 amounts in excess of that required for paragraphs  
13 (1) and (2)—

14           (A) shall be credited to and merged with  
15 the appropriation from which the improper pay-  
16 ments were made, and shall be available for the  
17 purposes and period for which such appropria-  
18 tions are available; or

19           (B) if no such appropriation remains avail-  
20 able, shall be deposited in the Treasury as mis-  
21 cellaneous receipts: *Provided further*, That prior  
22 to the transfer of any such recovery to an ap-  
23 propriations account, the Secretary shall notify  
24 the House and Senate Committees on Appro-  
25 priations of the amount and reasons for such

1 transfer: *Provided further*, That for purposes of  
2 this section, the term “improper payments,”  
3 has the same meaning as that provided in sec-  
4 tion 2(d)(2) of Public Law 107-300.

5 SEC. 618. The Secretary of Transportation is author-  
6 ized to transfer the unexpended balances available for the  
7 bonding assistance program from “Office of the Secretary,  
8 Salaries and expenses” to “Minority Business Outreach”.

9 SEC. 619. None of the funds made available by this  
10 Act shall be available for any activity or for paying the  
11 salary of any Government employee where funding an ac-  
12 tivity or paying a salary to a Government employee would  
13 result in a decision, determination, rule, regulation, or pol-  
14 icy that would prohibit the enforcement of section 307 of  
15 the Tariff Act of 1930.

16 SEC. 620. No part of any appropriation contained in  
17 this Act shall be available to pay the salary for any person  
18 filling a position, other than a temporary position, for-  
19 merly held by an employee who has left to enter the Armed  
20 Forces of the United States and has satisfactorily com-  
21 pleted his period of active military or naval service, and  
22 has within 90 days after his release from such service or  
23 from hospitalization continuing after discharge for a pe-  
24 riod of not more than 1 year, made application for restora-  
25 tion to his former position and has been certified by the



1 Office of Personnel Management as still qualified to per-  
2 form the duties of his former position and has not been  
3 restored thereto.

4       SEC. 621. Except as otherwise specifically provided  
5 by law, not to exceed 50 percent of unobligated balances  
6 remaining available at the end of fiscal year 2004 from  
7 appropriations made available for salaries and expenses  
8 for fiscal year 2004 in this Act, shall remain available  
9 through September 30, 2005, for each such account for  
10 the purposes authorized. *Provided*, That a request shall  
11 be submitted to the Committees on Appropriations for ap-  
12 proval prior to the expenditure of such funds. *Provided*  
13 *further*, That these requests shall be made in compliance  
14 with reprogramming guidelines.

15       SEC. 622. None of the funds made available in this  
16 Act may be used by the Executive Office of the President  
17 to request from the Federal Bureau of Investigation any  
18 official background investigation report on any individual,  
19 except when—

20               (1) such individual has given his or her express  
21 written consent for such request not more than 6  
22 months prior to the date of such request and during  
23 the same presidential administration; or

24               (2) such request is required due to extraor-  
25 dinary circumstances involving national security.

1        ~~SEC. 623.~~ For the purpose of resolving litigation and  
2 implementing any settlement agreements regarding the  
3 nonforeign area cost-of-living allowance program, the Of-  
4 fice of Personnel Management may accept and utilize  
5 (without regard to any restriction on unanticipated travel  
6 expenses imposed in an Appropriations Act) funds made  
7 available to the Office pursuant to court approval.

8        ~~SEC. 624.~~ No funds appropriated or otherwise made  
9 available under this Act shall be made available to any  
10 person or entity that has been convicted of violating the  
11 Buy American Act (41 U.S.C. 10a–10e).

12        ~~SEC. 625.~~ No funds appropriated by this Act shall  
13 be available to pay for an abortion, or the administrative  
14 expenses in connection with any health plan under the  
15 Federal employees health benefits program which provides  
16 any benefits or coverage for abortions.

17        ~~SEC. 626.~~ The provision of section 625 shall not  
18 apply where the life of the mother would be endangered  
19 if the fetus were carried to term, or the pregnancy is the  
20 result of an act of rape or incest.

21        ~~SEC. 627.~~ For the purpose of assisting State-sup-  
22 ported intercity rail service, in order to demonstrate  
23 whether competition will provide higher quality rail pas-  
24 senger service at reasonable prices, the Secretary of  
25 Transportation, working with affected States, shall de-

1 velop and implement a procedure for fair competitive bid-  
2 ding by Amtrak and non-Amtrak operators for State-sup-  
3 ported routes: *Provided*, That in the event a State desires  
4 to select or selects a non-Amtrak operator for the route,  
5 the State may make an agreement with Amtrak to use  
6 facilities and equipment of, or have services provided by,  
7 Amtrak under terms agreed to by the State and Amtrak  
8 to enable the non-Amtrak operator to provide the State-  
9 supported service: *Provided further*, That if the parties  
10 cannot agree on terms, the Secretary shall, as a condition  
11 of receipt of Federal grant funds, order that the facilities  
12 and equipment be made available and the services be pro-  
13 vided by Amtrak under reasonable terms and compensa-  
14 tion: *Provided further*, That when prescribing reasonable  
15 compensation to Amtrak, the Secretary shall consider  
16 quality of service as a major factor when determining  
17 whether, and the extent to which, the amount of com-  
18 pensation shall be greater than the incremental costs of  
19 using the facilities and providing the services: *Provided*  
20 *further*, That the Secretary may reprogram up to  
21 \$5,000,000 from the Amtrak operating grant funds for  
22 costs associated with the implementation of the fair bid  
23 procedure and demonstration of competition under this  
24 section.

1       SEC. 628. None of the funds provided in this Act,  
2 provided by previous appropriations Acts to the agencies  
3 or entities funded in this Act that remain available for  
4 obligation or expenditure in fiscal year 2004, or provided  
5 from any accounts in the Treasury derived by the collec-  
6 tion of fees and available to the agencies funded by this  
7 Act, shall be available for obligation or expenditure  
8 through a reprogramming of funds that—

9           (1) creates a new program;

10          (2) eliminates a program, project, or activity;

11          (3) increases funds for any program, project, or  
12 activity for which funds have been denied or re-  
13 stricted by the Congress;

14          (4) proposes to use funds directed for a specific  
15 activity by either the House or Senate Committees  
16 on Appropriations for a different purpose;

17          (5) augments existing programs, projects, or ac-  
18 tivities in excess of \$5,000,000 or 10 percent, which-  
19 ever is less; or

20          (6) reduces existing programs, projects, or ac-  
21 tivities by 10 percent,

22 unless the House and Senate Committees on Appropria-  
23 tions are notified at least 15 days in advance of such re-  
24 programming.

1       SEC. 629. None of the funds made available in this  
2 Act may be used to require a State or local government  
3 to post a traffic control device or variable message sign,  
4 or any other type of traffic warning sign, in a language  
5 other than English, except with respect to the names of  
6 cities, streets, places, events, or signs related to an inter-  
7 national border.

8       SEC. 630. EXEMPTION FROM LIMITATIONS ON PRO-  
9 CUREMENT OF FOREIGN INFORMATION TECHNOLOGY  
10 THAT IS A COMMERCIAL ITEM.—(a) EXEMPTION.—In  
11 order to promote Government access to commercial infor-  
12 mation technology, the restriction on purchasing non-  
13 domestic articles, materials, and supplies set forth in the  
14 Buy American Act (41 U.S.C. 10a et seq.), shall not apply  
15 to the acquisition by the Federal Government of informa-  
16 tion technology (as defined in section 11101 of title 40,  
17 United States Code, that is a commercial item (as defined  
18 in section 4(12) of the Office of Federal Procurement Pol-  
19 icy Act (41 U.S.C. 403(12))).

20       (b) DEFINITION.—Section 11101(6) of title 40,  
21 United States Code, is amended—

22             (1) in subparagraph (A), by inserting after  
23 “storage,” the following: “analysis, evaluation,”; and

24             (2) in subparagraph (B), by striking “ancillary  
25 equipment,” and inserting “ancillary equipment (in-

1 eluding imaging peripherals, input, output, and stor-  
2 age devices necessary for security and surveillance),  
3 peripheral equipment designed to be controlled by  
4 the central processing unit of a computer.”.

5 SEC. 631. It is the sense of the House of Representa-  
6 tives that empowerment zones within cities should have  
7 the necessary flexibility to expand to include relevant com-  
8 munities so that empowerment zone benefits are equitably  
9 distributed.

10 SEC. 632. It is the sense of the House of Representa-  
11 tives that all census tracts contained in an empowerment  
12 zone, either fully or partially, should be equitably accorded  
13 the same benefits.

14 SEC. 633. None of the funds made available in this  
15 Act may be used to finalize, implement, administer, or en-  
16 force—

17 (1) the proposed rule relating to the determina-  
18 tion that real estate brokerage is an activity that is  
19 financial in nature or incidental to a financial activ-  
20 ity published in the Federal Register on January 3,  
21 2001 (66 Fed. Reg. 307 et seq.); or

22 (2) the revision proposed in such rule to section  
23 1501.2 of title 12 of the Code of Federal Regula-  
24 tions.

1       SEC. 634. It is the sense of Congress that, after prop-  
2 er documentation, justification, and review, the Depart-  
3 ment of Transportation should consider programs to reim-  
4 burse general aviation ground support services at Ronald  
5 Reagan Washington National Airport, and airports lo-  
6 cated within fifteen miles of Ronald Reagan Washington  
7 National Airport, for their financial losses due to Govern-  
8 ment actions after the terrorist attacks of September 11,  
9 2001.

10       SEC. 635. It is the sense of the House of Representa-  
11 tives that public private partnerships (PPPs) could help  
12 eliminate some of the cost drivers behind complex, capital-  
13 intensive highway and transit projects. The House of Rep-  
14 resentatives encourages the Secretary of Transportation  
15 to apply available funds to select projects that are in the  
16 development phase, eligible under title 23 and title 49,  
17 United States Code, except 23 U.S.C. 133(b)(8), and that  
18 employ a PPP strategy.

## 19           TITLE VII—GENERAL PROVISIONS

### 20           DEPARTMENTS, AGENCIES, AND CORPORATIONS

21       SEC. 701. Funds appropriated in this or any other  
22 Act may be used to pay travel to the United States for  
23 the immediate family of employees serving abroad in cases  
24 of death or life threatening illness of said employee.

1       SEC. 702. No department, agency, or instrumentality  
2 of the United States receiving appropriated funds under  
3 this or any other Act for fiscal year 2004 shall obligate  
4 or expend any such funds, unless such department, agen-  
5 ey, or instrumentality has in place, and will continue to  
6 administer in good faith, a written policy designed to en-  
7 sure that all of its workplaces are free from the illegal  
8 use, possession, or distribution of controlled substances  
9 (as defined in the Controlled Substances Act) by the offi-  
10 cers and employees of such department, agency, or instru-  
11 mentality.

12       SEC. 703. Unless otherwise specifically provided, the  
13 maximum amount allowable during the current fiscal year  
14 in accordance with section 16 of the Act of August 2, 1946  
15 (60 Stat. 810), for the purchase of any passenger motor  
16 vehicle (exclusive of buses, ambulances, law enforcement,  
17 and undercover surveillance vehicles), is hereby fixed at  
18 \$8,100 except station wagons for which the maximum  
19 shall be \$9,100: *Provided*, That these limits may be ex-  
20 ceeded by not to exceed \$3,700 for police-type vehicles,  
21 and by not to exceed \$4,000 for special heavy-duty vehi-  
22 cles: *Provided further*, That the limits set forth in this sec-  
23 tion may not be exceeded by more than 5 percent for elec-  
24 tric or hybrid vehicles purchased for demonstration under  
25 the provisions of the Electric and Hybrid Vehicle Re-



1 search, Development, and Demonstration Act of 1976:  
2 *Provided further*, That the limits set forth in this section  
3 may be exceeded by the incremental cost of clean alter-  
4 native fuels vehicles acquired pursuant to Public Law  
5 101-549 over the cost of comparable conventionally fueled  
6 vehicles.

7       SEC. 704. Appropriations of the executive depart-  
8 ments and independent establishments for the current fis-  
9 cal year available for expenses of travel, or for the ex-  
10 penses of the activity concerned, are hereby made available  
11 for quarters allowances and cost-of-living allowances, in  
12 accordance with 5 U.S.C. 5922-5924.

13       SEC. 705. Unless otherwise specified during the cur-  
14 rent fiscal year, no part of any appropriation contained  
15 in this or any other Act shall be used to pay the compensa-  
16 tion of any officer or employee of the Government of the  
17 United States (including any agency the majority of the  
18 stock of which is owned by the Government of the United  
19 States) whose post of duty is in the continental United  
20 States unless such person: (1) is a citizen of the United  
21 States; (2) is a person in the service of the United States  
22 on the date of the enactment of this Act who, being eligible  
23 for citizenship, has filed a declaration of intention to be-  
24 come a citizen of the United States prior to such date and  
25 is actually residing in the United States; (3) is a person

1 who owes allegiance to the United States; (4) is an alien  
2 from Cuba, Poland, South Vietnam, the countries of the  
3 former Soviet Union, or the Baltic countries lawfully ad-  
4 mitted to the United States for permanent residence; (5)  
5 is a South Vietnamese, Cambodian, or Laotian refugee pa-  
6 roled in the United States after January 1, 1975; or (6)  
7 is a national of the People's Republic of China who quali-  
8 fies for adjustment of status pursuant to the Chinese Stu-  
9 dent Protection Act of 1992: *Provided*, That for the pur-  
10 pose of this section, an affidavit signed by any such person  
11 shall be considered prima facie evidence that the require-  
12 ments of this section with respect to his or her status have  
13 been complied with: *Provided further*, That any person  
14 making a false affidavit shall be guilty of a felony, and,  
15 upon conviction, shall be fined no more than \$4,000 or  
16 imprisoned for not more than 1 year, or both: *Provided*  
17 *further*, That the above penal clause shall be in addition  
18 to, and not in substitution for, any other provisions of ex-  
19 isting law: *Provided further*, That any payment made to  
20 any officer or employee contrary to the provisions of this  
21 section shall be recoverable in action by the Federal Gov-  
22 ernment. This section shall not apply to citizens of Ire-  
23 land, Israel, or the Republic of the Philippines, or to na-  
24 tionals of those countries allied with the United States in  
25 a current defense effort, or to international broadcasters

1 employed by the United States Information Agency, or to  
2 temporary employment of translators, or to temporary em-  
3 ployment in the field service (not to exceed 60 days) as  
4 a result of emergencies.

5       SEC. 706. Appropriations available to any depart-  
6 ment or agency during the current fiscal year for nec-  
7 essary expenses, including maintenance or operating ex-  
8 penses, shall also be available for payment to the General  
9 Services Administration for charges for space and services  
10 and those expenses of renovation and alteration of build-  
11 ings and facilities which constitute public improvements  
12 performed in accordance with the Public Buildings Act of  
13 1959 (73 Stat. 749), the Public Buildings Amendments  
14 of 1972 (87 Stat. 216), or other applicable law.

15       SEC. 707. In addition to funds provided in this or  
16 any other Act, all Federal agencies are authorized to re-  
17 ceive and use funds resulting from the sale of materials,  
18 including Federal records disposed of pursuant to a  
19 records schedule recovered through recycling or waste pre-  
20 vention programs. Such funds shall be available until ex-  
21 pended for the following purposes:

22               (1) Acquisition, waste reduction and prevention,  
23               and recycling programs as described in Executive  
24               Order No. 13101 (September 14, 1998), including

1 any such programs adopted prior to the effective  
2 date of the Executive order.

3 ~~(2) Other Federal agency environmental man-~~  
4 ~~agement programs, including, but not limited to, the~~  
5 ~~development and implementation of hazardous waste~~  
6 ~~management and pollution prevention programs.~~

7 ~~(3) Other employee programs as authorized by~~  
8 ~~law or as deemed appropriate by the head of the~~  
9 ~~Federal agency.~~

10 ~~SEC. 708. Funds made available by this or any other~~  
11 ~~Act for administrative expenses in the current fiscal year~~  
12 ~~of the corporations and agencies subject to chapter 91 of~~  
13 ~~title 31, United States Code, shall be available, in addition~~  
14 ~~to objects for which such funds are otherwise available,~~  
15 ~~for rent in the District of Columbia; services in accordance~~  
16 ~~with 5 U.S.C. 3109; and the objects specified under this~~  
17 ~~head, all the provisions of which shall be applicable to the~~  
18 ~~expenditure of such funds unless otherwise specified in the~~  
19 ~~Act by which they are made available: *Provided*, That in~~  
20 ~~the event any functions budgeted as administrative ex-~~  
21 ~~penses are subsequently transferred to or paid from other~~  
22 ~~funds, the limitations on administrative expenses shall be~~  
23 ~~correspondingly reduced.~~

24 ~~SEC. 709. No part of any appropriation for the cur-~~  
25 ~~rent fiscal year contained in this or any other Act shall~~

1 be paid to any person for the filling of any position for  
2 which he or she has been nominated after the Senate has  
3 voted not to approve the nomination of said person.

4       SEC. 710. No part of any appropriation contained in  
5 this or any other Act shall be available for interagency  
6 financing of boards (except Federal Executive Boards),  
7 commissions, councils, committees, or similar groups  
8 (whether or not they are interagency entities) which do  
9 not have a prior and specific statutory approval to receive  
10 financial support from more than one agency or instru-  
11 mentality.

12       SEC. 711. Funds made available by this or any other  
13 Act to the Postal Service Fund (39 U.S.C. 2003) shall  
14 be available for employment of guards for all buildings and  
15 areas owned or occupied by the Postal Service and under  
16 the charge and control of the Postal Service, and such  
17 guards shall have, with respect to such property, the pow-  
18 ers of special policemen provided by the first section of  
19 the Act of June 1, 1948, as amended (62 Stat. 281; 40  
20 U.S.C. 318), and, as to property owned or occupied by  
21 the Postal Service, the Postmaster General may take the  
22 same actions as the Administrator of General Services  
23 may take under the provisions of sections 2 and 3 of the  
24 Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C.  
25 318a and 318b), attaching thereto penal consequences

1 under the authority and within the limits provided in sec-  
2 tion 4 of the Act of June 1, 1948, as amended (62 Stat.  
3 281; 40 U.S.C. 318e).

4       SEC. 712. None of the funds made available pursuant  
5 to the provisions of this Act shall be used to implement,  
6 administer, or enforce any regulation which has been dis-  
7 approved pursuant to a resolution of disapproval duly  
8 adopted in accordance with the applicable law of the  
9 United States.

10       SEC. 713. (a) Notwithstanding any other provision  
11 of law, and except as otherwise provided in this section,  
12 no part of any of the funds appropriated for fiscal year  
13 2004, by this or any other Act, may be used to pay any  
14 prevailing rate employee described in section  
15 5342(a)(2)(A) of title 5, United States Code—

16           (1) during the period from the date of expira-  
17 tion of the limitation imposed by the comparable sec-  
18 tion for the previous fiscal years until the normal ef-  
19 fective date of the applicable wage survey adjust-  
20 ment that is to take effect in fiscal year 2004, in an  
21 amount that exceeds the rate payable for the appli-  
22 cable grade and step of the applicable wage schedule  
23 in accordance with such section; and

24           (2) during the period consisting of the remain-  
25 der of fiscal year 2004, in an amount that exceeds,

1 as a result of a wage survey adjustment, the rate  
2 payable under paragraph (1) by more than the sum  
3 of—

4 (A) the percentage adjustment taking ef-  
5 fect in fiscal year 2004 under section 5303 of  
6 title 5, United States Code, in the rates of pay  
7 under the General Schedule; and

8 (B) the difference between the overall aver-  
9 age percentage of the locality-based com-  
10 parability payments taking effect in fiscal year  
11 2004 under section 5304 of such title (whether  
12 by adjustment or otherwise); and the overall av-  
13 erage percentage of such payments which was  
14 effective in the previous fiscal year under such  
15 section.

16 (b) Notwithstanding any other provision of law, no  
17 prevailing rate employee described in subparagraph (B) or  
18 (C) of section 5342(a)(2) of title 5, United States Code,  
19 and no employee covered by section 5348 of such title,  
20 may be paid during the periods for which subsection (a)  
21 is in effect at a rate that exceeds the rates that would  
22 be payable under subsection (a) were subsection (a) appli-  
23 eable to such employee.

24 (c) For the purposes of this section, the rates payable  
25 to an employee who is covered by this section and who

1 is paid from a schedule not in existence on September 30,  
2 2003, shall be determined under regulations prescribed by  
3 the Office of Personnel Management.

4 (d) Notwithstanding any other provision of law, rates  
5 of premium pay for employees subject to this section may  
6 not be changed from the rates in effect on September 30,  
7 2003, except to the extent determined by the Office of  
8 Personnel Management to be consistent with the purpose  
9 of this section.

10 (e) This section shall apply with respect to pay for  
11 service performed after September 30, 2003.

12 (f) For the purpose of administering any provision  
13 of law (including any rule or regulation that provides pre-  
14 mium pay, retirement, life insurance, or any other em-  
15 ployee benefit) that requires any deduction or contribu-  
16 tion, or that imposes any requirement or limitation on the  
17 basis of a rate of salary or basic pay, the rate of salary  
18 or basic pay payable after the application of this section  
19 shall be treated as the rate of salary or basic pay.

20 (g) Nothing in this section shall be considered to per-  
21 mit or require the payment to any employee covered by  
22 this section at a rate in excess of the rate that would be  
23 payable were this section not in effect.

24 (h) The Office of Personnel Management may provide  
25 for exceptions to the limitations imposed by this section



1 if the Office determines that such exceptions are necessary  
2 to ensure the recruitment or retention of qualified employ-  
3 ees.

4       SEC. 714. During the period in which the head of  
5 any department or agency, or any other officer or civilian  
6 employee of the Government appointed by the President  
7 of the United States, holds office, no funds may be obli-  
8 gated or expended in excess of \$5,000 to furnish or re-  
9 decorate the office of such department head, agency head,  
10 officer, or employee, or to purchase furniture or make im-  
11 provements for any such office, unless advance notice of  
12 such furnishing or redecoration is expressly approved by  
13 the Committees on Appropriations. For the purposes of  
14 this section, the term "office" shall include the entire suite  
15 of offices assigned to the individual, as well as any other  
16 space used primarily by the individual or the use of which  
17 is directly controlled by the individual.

18       SEC. 715. Notwithstanding section 1346 of title 31,  
19 United States Code, or section 710 of this Act, funds  
20 made available for the current fiscal year by this or any  
21 other Act shall be available for the interagency funding  
22 of national security and emergency preparedness tele-  
23 communications initiatives which benefit multiple Federal  
24 departments, agencies, or entities, as provided by Execu-  
25 tive Order No. 12472 (April 3, 1984).

1       SEC. 716. (a) None of the funds appropriated by this  
2 or any other Act may be obligated or expended by any  
3 Federal department, agency, or other instrumentality for  
4 the salaries or expenses of any employee appointed to a  
5 position of a confidential or policy-determining character  
6 excepted from the competitive service pursuant to section  
7 3302 of title 5, United States Code, without a certification  
8 to the Office of Personnel Management from the head of  
9 the Federal department, agency, or other instrumentality  
10 employing the Schedule C appointee that the Schedule C  
11 position was not created solely or primarily in order to  
12 detail the employee to the White House.

13       (b) The provisions of this section shall not apply to  
14 Federal employees or members of the armed services de-  
15 tailed to or from—

16             (1) the Central Intelligence Agency;

17             (2) the National Security Agency;

18             (3) the Defense Intelligence Agency;

19             (4) the offices within the Department of De-  
20 fense for the collection of specialized national foreign  
21 intelligence through reconnaissance programs;

22             (5) the Bureau of Intelligence and Research of  
23 the Department of State;

24             (6) any agency, office, or unit of the Army,  
25 Navy, Air Force, and Marine Corps, the Department

1 of Homeland Security, the Federal Bureau of Inves-  
2 tigation and the Drug Enforcement Administration  
3 of the Department of Justice, the Department of  
4 Transportation, the Department of the Treasury,  
5 and the Department of Energy performing intel-  
6 ligence functions; and

7 (7) the Director of Central Intelligence.

8 SEC. 717. No department, agency, or instrumentality  
9 of the United States receiving appropriated funds under  
10 this or any other Act for the current fiscal year shall obli-  
11 gate or expend any such funds, unless such department,  
12 agency, or instrumentality has in place, and will continue  
13 to administer in good faith, a written policy designed to  
14 ensure that all of its workplaces are free from discrimina-  
15 tion and sexual harassment and that all of its workplaces  
16 are not in violation of title VII of the Civil Rights Act  
17 of 1964, as amended, the Age Discrimination in Employ-  
18 ment Act of 1967, and the Rehabilitation Act of 1973.

19 SEC. 718. No part of any appropriation contained in  
20 this or any other Act shall be available for the payment  
21 of the salary of any officer or employee of the Federal  
22 Government, who—

23 (1) prohibits or prevents, or attempts or threat-  
24 ens to prohibit or prevent, any other officer or em-  
25 ployee of the Federal Government from having any

1 direct oral or written communication or contact with  
2 any Member, committee, or subcommittee of the  
3 Congress in connection with any matter pertaining  
4 to the employment of such other officer or employee  
5 or pertaining to the department or agency of such  
6 other officer or employee in any way, irrespective of  
7 whether such communication or contact is at the ini-  
8 tiative of such other officer or employee or in re-  
9 sponse to the request or inquiry of such Member,  
10 committee, or subcommittee; or

11 (2) removes, suspends from duty without pay,  
12 demotes, reduces in rank, seniority, status, pay, or  
13 performance of efficiency rating, denies promotion  
14 to, relocates, reassigns, transfers, disciplines, or dis-  
15 criminates in regard to any employment right, enti-  
16 tlement, or benefit, or any term or condition of em-  
17 ployment of, any other officer or employee of the  
18 Federal Government, or attempts or threatens to  
19 commit any of the foregoing actions with respect to  
20 such other officer or employee, by reason of any  
21 communication or contact of such other officer or  
22 employee with any Member, committee, or sub-  
23 committee of the Congress as described in paragraph  
24 (1).

1       SEC. 719. (a) None of the funds made available in  
2 this or any other Act may be obligated or expended for  
3 any employee training that—

4           (1) does not meet identified needs for knowl-  
5 edge, skills, and abilities bearing directly upon the  
6 performance of official duties;

7           (2) contains elements likely to induce high lev-  
8 els of emotional response or psychological stress in  
9 some participants;

10          (3) does not require prior employee notification  
11 of the content and methods to be used in the train-  
12 ing and written end of course evaluation;

13          (4) contains any methods or content associated  
14 with religious or quasi-religious belief systems or  
15 “new age” belief systems as defined in Equal Em-  
16 ployment Opportunity Commission Notice N-  
17 915.022, dated September 2, 1988; or

18          (5) is offensive to, or designed to change, par-  
19 ticipants’ personal values or lifestyle outside the  
20 workplace.

21       (b) Nothing in this section shall prohibit, restrict, or  
22 otherwise preclude an agency from conducting training  
23 bearing directly upon the performance of official duties.

24       SEC. 720. No funds appropriated in this or any other  
25 Act may be used to implement or enforce the agreements

1 in Standard Forms 312 and 4414 of the Government or  
2 any other nondisclosure policy, form, or agreement if such  
3 policy, form, or agreement does not contain the following  
4 provisions: “These restrictions are consistent with and do  
5 not supersede, conflict with, or otherwise alter the em-  
6 ployee obligations, rights, or liabilities created by Execu-  
7 tive Order No. 12958; section 7211 of title 5, United  
8 States Code (governing disclosures to Congress); section  
9 1034 of title 10, United States Code, as amended by the  
10 Military Whistleblower Protection Act (governing disclo-  
11 sure to Congress by members of the military); section  
12 2302(b)(8) of title 5, United States Code, as amended by  
13 the Whistleblower Protection Act (governing disclosures of  
14 illegality, waste, fraud, abuse or public health or safety  
15 threats); the Intelligence Identities Protection Act of 1982  
16 (50 U.S.C. 421 et seq.) (governing disclosures that could  
17 expose confidential Government agents); and the statutes  
18 which protect against disclosure that may compromise the  
19 national security, including sections 641, 793, 794, 798,  
20 and 952 of title 18, United States Code, and section 4(b)  
21 of the Subversive Activities Act of 1950 (50 U.S.C.  
22 783(b)). The definitions, requirements, obligations, rights,  
23 sanctions, and liabilities created by said Executive order  
24 and listed statutes are incorporated into this agreement  
25 and are controlling.” *Provided*, That notwithstanding the

1 preceding paragraph, a nondisclosure policy form or agree-  
2 ment that is to be executed by a person connected with  
3 the conduct of an intelligence or intelligence-related activ-  
4 ity, other than an employee or officer of the United States  
5 Government, may contain provisions appropriate to the  
6 particular activity for which such document is to be used.  
7 Such form or agreement shall, at a minimum, require that  
8 the person will not disclose any classified information re-  
9 ceived in the course of such activity unless specifically au-  
10 thorized to do so by the United States Government. Such  
11 nondisclosure forms shall also make it clear that they do  
12 not bar disclosures to Congress or to an authorized official  
13 of an executive agency or the Department of Justice that  
14 are essential to reporting a substantial violation of law.

15       SEC. 721. No part of any funds appropriated in this  
16 or any other Act shall be used by an agency of the execu-  
17 tive branch, other than for normal and recognized execu-  
18 tive-legislative relationships, for publicity or propaganda  
19 purposes, and for the preparation, distribution or use of  
20 any kit, pamphlet, booklet, publication, radio, television or  
21 film presentation designed to support or defeat legislation  
22 pending before the Congress, except in presentation to the  
23 Congress itself.

24       SEC. 722. None of the funds appropriated by this or  
25 any other Act may be used by an agency to provide a Fed-

1 eral employee's home address to any labor organization  
2 except when the employee has authorized such disclosure  
3 or when such disclosure has been ordered by a court of  
4 competent jurisdiction.

5       ~~SEC. 723.~~ None of the funds made available in this  
6 Act or any other Act may be used to provide any non-  
7 public information such as mailing or telephone lists to  
8 any person or any organization outside of the Federal  
9 Government without the approval of the Committees on  
10 Appropriations.

11       ~~SEC. 724.~~ No part of any appropriation contained in  
12 this or any other Act shall be used for publicity or propa-  
13 ganda purposes within the United States not heretofore  
14 authorized by the Congress.

15       ~~SEC. 725.~~ Unless authorized in accordance with law  
16 or regulations to use such time for other purposes, an em-  
17 ployee of an agency shall use official time in an honest  
18 effort to perform official duties. An employee not under  
19 a leave system, including a Presidential appointee exempt-  
20 ed under section 6301(2) of title 5, United States Code,  
21 has an obligation to expend an honest effort and a reason-  
22 able proportion of such employee's time in the perform-  
23 ance of official duties: *Provided,* That in this section the  
24 term "agency"—



1           (1) means an Executive agency as defined  
2           under section 105 of title 5, United States Code;

3           (2) includes a military department as defined  
4           under section 102 of such title, the Postal Service,  
5           and the Postal Rate Commission; and

6           (3) shall not include the General Accounting  
7           Office.

8           SEC. 726. Notwithstanding 31 U.S.C. 1346 and sec-  
9           tion 710 of this Act, funds made available for the current  
10          fiscal year by this or any other Act to any department  
11          or agency, which is a member of the Joint Financial Man-  
12          agement Improvement Program (JFMIP), shall be avail-  
13          able to finance an appropriate share of JFMIP adminis-  
14          trative costs, as determined by the JFMIP, but not to ex-  
15          ceed a total of \$800,000 including the salary of the Execu-  
16          tive Director and staff support.

17          SEC. 727. Notwithstanding 31 U.S.C. 1346 and sec-  
18          tion 710 of this Act, the head of each Executive depart-  
19          ment and agency is hereby authorized to transfer to or  
20          reimburse the "Governmentwide Policy" account, General  
21          Services Administration, with the approval of the Director  
22          of the Office of Management and Budget, funds made  
23          available for the current fiscal year by this or any other  
24          Act, including rebates from charge card and other con-  
25          tracts. These funds shall be administered by the Adminis-

1 trator of General Services to support Government-wide fi-  
2 nancial, information technology, procurement, and other  
3 management innovations, initiatives, and activities, as ap-  
4 proved by the Director of the Office of Management and  
5 Budget, in consultation with the appropriate interagency  
6 groups designated by the Director (including the Chief Fi-  
7 nancial Officers Council and the Joint Financial Manage-  
8 ment Improvement Program for financial management  
9 initiatives, the Chief Information Officers Council for in-  
10 formation technology initiatives, and the Procurement Ex-  
11 ecutives Council for procurement initiatives). The total  
12 funds transferred or reimbursed shall not exceed  
13 \$17,000,000. Such transfers or reimbursements may only  
14 be made 15 days following notification of the Committees  
15 on Appropriations by the Director of the Office of Man-  
16 agement and Budget.

17       SEC. 728. Notwithstanding any other provision of  
18 law, a woman may breastfeed her child at any location  
19 in a Federal building or on Federal property, if the woman  
20 and her child are otherwise authorized to be present at  
21 the location.

22       SEC. 729. Notwithstanding section 1346 of title 31,  
23 United States Code, or section 710 of this Act, funds  
24 made available for the current fiscal year by this or any  
25 other Act shall be available for the interagency funding

1 of specific projects, workshops, studies, and similar efforts  
2 to carry out the purposes of the National Science and  
3 Technology Council (authorized by Executive Order No.  
4 12881), which benefit multiple Federal departments,  
5 agencies, or entities: *Provided*, That the Office of Manage-  
6 ment and Budget shall provide a report describing the  
7 budget of and resources connected with the National  
8 Science and Technology Council to the Committees on Ap-  
9 propriations, the House Committee on Science, and the  
10 Senate Committee on Commerce, Science, and Transpor-  
11 tation 90 days after enactment of this Act.

12       SEC. 730. Any request for proposals, solicitation,  
13 grant application, form, notification, press release, or  
14 other publications involving the distribution of Federal  
15 funds shall indicate the agency providing the funds, the  
16 Catalog of Federal Domestic Assistance Number, as appli-  
17 cable, and the amount provided. This provision shall apply  
18 to direct payments, formula funds, and grants received by  
19 a State receiving Federal funds.

20       SEC. 731. Subsection (f) of section 403 of Public Law  
21 103-356 (31 U.S.C. 501 note) is amended by striking  
22 “October 1, 2001” and inserting “October 1, 2004”.

23       SEC. 732. (a) PROHIBITION OF FEDERAL AGENCY  
24 MONITORING OF PERSONAL INFORMATION ON USE OF

1 INTERNET.—None of the funds made available in this or  
2 any other Act may be used by any Federal agency—

3       (1) to collect, review, or create any aggregate  
4 list, derived from any means, that includes the col-  
5 lection of any personally identifiable information re-  
6 lating to an individual's access to or use of any Fed-  
7 eral Government Internet site of the agency; or

8       (2) to enter into any agreement with a third  
9 party (including another Government agency) to col-  
10 lect, review, or obtain any aggregate list, derived  
11 from any means, that includes the collection of any  
12 personally identifiable information relating to an in-  
13 dividual's access to or use of any nongovernmental  
14 Internet site.

15 (b) EXCEPTIONS.—The limitations established in  
16 subsection (a) shall not apply to—

17       (1) any record of aggregate data that does not  
18 identify particular persons;

19       (2) any voluntary submission of personally iden-  
20 tifiable information;

21       (3) any action taken for law enforcement, regu-  
22 latory, or supervisory purposes, in accordance with  
23 applicable law; or

24       (4) any action described in subsection (a)(1)  
25 that is a system security action taken by the oper-

1 ator of an Internet site and is necessarily incident  
2 to the rendition of the Internet site services or to the  
3 protection of the rights or property of the provider  
4 of the Internet site.

5 (c) DEFINITIONS.—For the purposes of this section:

6 (1) The term “regulatory” means agency ac-  
7 tions to implement, interpret or enforce authorities  
8 provided in law.

9 (2) The term “supervisory” means examina-  
10 tions of the agency’s supervised institutions, includ-  
11 ing assessing safety and soundness, overall financial  
12 condition, management practices and policies and  
13 compliance with applicable standards as provided in  
14 law.

15 SEC. 733. (a) None of the funds appropriated by this  
16 Act may be used to enter into or renew a contract which  
17 includes a provision providing prescription drug coverage,  
18 except where the contract also includes a provision for con-  
19 traceptive coverage.

20 (b) Nothing in this section shall apply to a contract  
21 with—

22 (1) any of the following religious plans:

23 (A) Personal Care’s HMO; and

24 (B) OSF Health Plans, Inc.; and

1           (2) any existing or future plan, if the carrier  
2           for the plan objects to such coverage on the basis of  
3           religious beliefs.

4           (c) In implementing this section, any plan that enters  
5           into or renews a contract under this section may not sub-  
6           ject any individual to discrimination on the basis that the  
7           individual refuses to prescribe or otherwise provide for  
8           contraceptives because such activities would be contrary  
9           to the individual's religious beliefs or moral convictions.

10          (d) Nothing in this section shall be construed to re-  
11          quire coverage of abortion or abortion-related services.

12          SEC. 734. The Congress of the United States recog-  
13          nizes the United States Anti-Doping Agency (USADA) as  
14          the official anti-doping agency for Olympic, Pan Amer-  
15          ican, and Paralympic sport in the United States.

16          SEC. 735. Not later than 6 months after the date of  
17          enactment of this Act, the Inspector General of each appli-  
18          cable department or agency shall submit to the Committee  
19          on Appropriations a report detailing what policies and pro-  
20          cedures are in place for each department or agency to give  
21          first priority to the location of new offices and other facili-  
22          ties in rural areas, as directed by the Rural Development  
23          Act of 1972.

24          SEC. 736. Each executive department and agency  
25          shall evaluate the creditworthiness of an individual before

1 issuing the individual a Government travel charge card.  
2 The department or agency may not issue a Government  
3 travel charge card to an individual that either lacks a cred-  
4 it history or is found to have an unsatisfactory credit his-  
5 tory as a result of this evaluation: *Provided*, That this re-  
6 striction shall not preclude issuance of a restricted-use  
7 charge, debit, or stored value card made in accordance  
8 with agency procedures to: (1) an individual with an un-  
9 satisfactory credit history where such card is used to pay  
10 travel expenses and the agency determines there is no suit-  
11 able alternative payment mechanism available before  
12 issuing the card; or (2) an individual who lacks a credit  
13 history. Each executive department and agency shall es-  
14 tablish guidelines and procedures for disciplinary actions  
15 to be taken against agency personnel for improper, fraud-  
16 ulent, or abusive use of Government charge cards, which  
17 shall include appropriate disciplinary actions for use of  
18 charge cards for purposes, and at establishments, that are  
19 inconsistent with the official business of the department  
20 or agency or with applicable standards of conduct.

21       SEC. 737. Notwithstanding section 1346 of title 31,  
22 United States Code, or section 710 of this Act, funds  
23 made available for the current fiscal year by this or any  
24 other Act shall be available for the interagency funding  
25 of the National Oceanographic Partnership Program Of-

1 fee, authorized by ~~10 U.S.C. 7902~~, and the Coastal Amer-  
2 ica program, which benefit multiple Federal departments,  
3 agencies, or entities: *Provided*, That the Department of  
4 Commerce shall provide a report describing the budget of  
5 and resources connected with the National Oceanographic  
6 Partnership Program Office and the Coastal America pro-  
7 gram to the House and Senate Committees on Appropria-  
8 tions, the House Committee on Science, and the Senate  
9 Committee on Commerce, Science, and Transportation 90  
10 days after the enactment of this Act.

11 SEC. 738. Section 640(e) of the Treasury and Gen-  
12 eral Government Appropriations Act, 2000 (Public Law  
13 106-58; 2 U.S.C. 437g note 1), as amended by section  
14 642 of the Treasury and General Government Appropria-  
15 tions Act, 2002 (Public Law 107-67), is amended by  
16 striking “December 31, 2003” and inserting “December  
17 31, 2005”.

18 SEC. 739. Section 304(a) of the Federal Election  
19 Campaign Act of 1971 (2 U.S.C. 434(a)) is amended as  
20 follows:

21 (1) in clauses (a)(2)(A)(i) and (a)(4)(A)(ii) by  
22 striking the parenthetical “(or posted by registered  
23 or certified mail no later than the 15th day before)”  
24 and inserting in its place, “(or posted by any of the  
25 following: registered mail, certified mail, priority



1 mail having a delivery confirmation, or express mail  
2 having a delivery confirmation, or delivered to an  
3 overnight delivery service with an on-line tracking  
4 system, if posted or delivered no later than the 15th  
5 day before)"; and

6 (2) by striking paragraph (a)(5) and inserting  
7 the following:

8 "(5) If a designation, report, or statement filed  
9 pursuant to this Act (other than under paragraph  
10 (2)(A)(i) or (4)(A)(ii) or subsection (g)(1)) is sent  
11 by registered mail, certified mail, priority mail hav-  
12 ing a delivery confirmation, or express mail having  
13 a delivery confirmation, the United States postmark  
14 shall be considered the date of filing the designation,  
15 report or statement. If a designation, report or  
16 statement filed pursuant to this Act (other than  
17 under paragraph (2)(A)(i) or (4)(A)(ii), or sub-  
18 section (g)(1)) is sent by an overnight delivery serv-  
19 ice with an on-line tracking system, the date on the  
20 proof of delivery to the delivery service shall be con-  
21 sidered the date of filing of the designation, report,  
22 or statement."

23 SEC. 740. (a) The adjustment in rates of basic pay  
24 for employees under the statutory pay systems that takes  
25 effect in fiscal year 2004 under sections 5303 and 5304

1 of title 5, United States Code, shall be an increase of 4.1  
2 percent, and this adjustment shall apply to civilian em-  
3 ployees in the Department of Defense and the Department  
4 of Homeland Security and such adjustments shall be effec-  
5 tive as of the first day of the first applicable pay period  
6 beginning on or after January 1, 2004.

7 (b) Notwithstanding section 713 of this Act, the ad-  
8 justment in rates of basic pay for the statutory pay sys-  
9 tems that take place in fiscal year 2004 under sections  
10 5344 and 5348 of title 5, United States Code, shall be  
11 no less than the percentage in paragraph (a) as employees  
12 in the same location whose rates of basic pay are adjusted  
13 pursuant to the statutory pay systems under section 5303  
14 and 5304 of title 5, United States Code. Prevailing rate  
15 employees at locations where there are no employees whose  
16 pay is increased pursuant to sections 5303 and 5304 of  
17 title 5 and prevailing rate employees described in section  
18 5343(a)(5) of title 5 shall be considered to be located in  
19 the pay locality designated as "Rest of US" pursuant to  
20 section 5304 of title 5 for purposes of this paragraph.

21 (c) Funds used to carry out this section shall be paid  
22 from appropriations, which are made to each applicable  
23 department or agency for salaries and expenses for fiscal  
24 year 2004.

1       SEC. 741. Not later than December 31 of each year,  
2 the head of each agency shall submit to Congress a report  
3 on the competitive sourcing activities performed during  
4 the previous fiscal year by Federal Government sources  
5 that are on the list required under the Federal Activities  
6 Inventory Reform Act of 1998 (Public Law 105-270; 31  
7 U.S.C. 501 note). The report shall include—

8           (1) the number of full time equivalent Federal  
9 employees studied for competitive sourcing;

10          (2) the total agency cost required to carry out  
11 its competitive sourcing program;

12          (3) the costs attributable to paying outside con-  
13 sultants and contractors to carry out the agency's  
14 competitive sourcing program;

15          (4) the costs attributable to paying agency per-  
16 sonnel to carry out its competitive sourcing program;  
17 and

18          (5) an estimate of the savings attributed as a  
19 result of the agency competitive sourcing program.

20       SEC. 742. It is the sense of the Congress that none  
21 of the funds made available in this Act should be used  
22 to disestablish any pay locality (as defined by section 5302  
23 of title 5, United States Code).

24       SEC. 743. For an additional amount for new fixed  
25 guideway systems under the heading "Federal Transit Ad-

1 ministration—Capital Investment Grants<sup>22</sup> for the Silicon  
2 Valley, CA, Rapid Transit Corridor, and the amount oth-  
3 erwise provided under such heading for the San Francisco,  
4 CA, Muni Third Street Light Rail Project is hereby re-  
5 duced by, \$1,000,000.

6       SEC. 744. Notwithstanding any other provision of  
7 this Act, for necessary expenses to carry out the essential  
8 air service program pursuant to 49 U.S.C. 41742(a), there  
9 is hereby appropriated \$63,000,000, to be derived from  
10 the airport and airway trust fund and to remain available  
11 until expended.

12       SEC. 745. (a) None of the funds made available in  
13 this Act may be used to administer or enforce part 515  
14 of title 31, Code of Federal Regulations (the Cuban Assets  
15 Control Regulations) with respect to any travel or travel-  
16 related transaction.

17       (b) The limitation established in subsection (a) shall  
18 not apply to the administration of general or specific li-  
19 censes for travel or travel-related transactions, shall not  
20 apply to section 515.204, 515.206, 515.332, 515.536,  
21 515.544, 515.547, 515.560(e)(3), 515.569, 515.571, or  
22 515.803 of such part 515, and shall not apply to trans-  
23 actions in relation to any business travel covered by sec-  
24 tion 515.560(g) of such part 515.

1        ~~SEC. 746.~~ None of the funds made available in this  
2 Act may be used to enforce any restriction on remittances  
3 to nationals of Cuba or Cuban households, including re-  
4 mittances for emigration expenses, covered by section  
5 ~~515.570 or 515.560(e)~~ of title 31, Code of Federal Regula-  
6 tions, other than the restriction that remittances not be  
7 made from a blocked source and the restriction that no  
8 member of the payee's household be a senior-level Govern-  
9 ment official or senior-level communist party official.

10        ~~SEC. 747.~~ None of the funds appropriated by this Act  
11 may be used to assist in overturning the judicial ruling  
12 contained in the Memorandum and Order of the United  
13 States District Court for the Southern District of Illinois  
14 entered on July 31, 2003, in the action entitled Kathi Coo-  
15 per, Beth Harrington, and Matthew Hillesheim, Individ-  
16 ually and on Behalf of All Those Similarly Situated vs.  
17 IBM Personal Pension Plan and IBM Corporation (Civil  
18 No. ~~99-829-GPM~~).

19        ~~SEC. 748.~~ None of the funds made available by this  
20 Act may be used to implement the revision to Office of  
21 Management and Budget Circular A-76 made on May 29,  
22 2003.

23        ~~SEC. 749.~~ (a) None of the funds made available in  
24 this Act may be used to implement, administer, or enforce  
25 the amendments made to section ~~515.565(b)(2)~~ of title 31,

1 Code of Federal Regulations (relating to specific licenses  
2 for “people-to-people” educational exchanges), as pub-  
3 lished in the Federal Register on March 24, 2003.

4 (b) The limitation in subsection (a) shall not apply  
5 to the implementation, administration, or enforcement of  
6 515.560(e)(3) of title 31, Code of Federal Regulations.

7 This Act may be cited as the “Transportation, Treas-  
8 ury, and Independent Agencies Appropriations Act,  
9 2004”.

10 *That the following sums are appropriated, out of any*  
11 *money in the Treasury not otherwise appropriated, for the*  
12 *Departments of Transportation and Treasury, the Execu-*  
13 *tive Office of the President, and certain independent agen-*  
14 *cies for the fiscal year ending September 30, 2004, and for*  
15 *other purposes, 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 *\$91,276,000, of which not to exceed \$2,500,000 shall be*  
22 *available for the immediate Office of the Secretary; not to*  
23 *exceed \$706,000 shall be available for the immediate Office*  
24 *of the Deputy Secretary; not to exceed \$15,403,000 shall be*  
25 *available for the Office of the General Counsel; not to exceed*

1 \$12,312,000 shall be available for the Office of the Under  
2 Secretary of Transportation for Policy; not to exceed  
3 \$8,536,000 shall be available for the Office of the Assistant  
4 Secretary for Budget and Programs; not to exceed  
5 \$2,477,000 shall be available for the Office of the Assistant  
6 Secretary for Governmental Affairs; not to exceed  
7 \$28,882,000 shall be available for the Office of the Assistant  
8 Secretary for Administration; not to exceed \$1,915,000 shall  
9 be available for the Office of Public Affairs; not to exceed  
10 \$1,458,000 shall be available for the Office of the Executive  
11 Secretariat; not to exceed \$700,000 shall be available for  
12 the Board of Contract Appeals; not to exceed \$1,268,000  
13 shall be available for the Office of Small and Disadvantaged  
14 Business Utilization; not to exceed \$1,792,000 for the Office  
15 of Intelligence and Security; and not to exceed \$13,327,000  
16 shall be available for the Office of the Chief Information  
17 Officer: Provided, That the Secretary of Transportation is  
18 authorized to transfer funds appropriated for any office of  
19 the Office of the Secretary to any other office of the Office  
20 of the Secretary: Provided further, That no appropriation  
21 for any office shall be increased or decreased by more than  
22 5 percent by all such transfers: Provided further, That any  
23 change in funding greater than 5 percent shall be submitted  
24 for approval to the House and Senate Committees on Ap-  
25 propriations: Provided further, That not to exceed \$60,000

1 *shall be for allocation within the Department for official*  
2 *reception and representation expenses as the Secretary may*  
3 *determine: Provided further, That notwithstanding any*  
4 *other provision of law, excluding fees authorized in Public*  
5 *Law 107-71, there may be credited to this appropriation*  
6 *up to \$2,500,000 in funds received in user fees: Provided*  
7 *further, That none of the funds provided in this Act shall*  
8 *be available for the position of Assistant Secretary for Pub-*  
9 *lic Affairs.*

10 *OFFICE OF CIVIL RIGHTS*

11 *For necessary expenses of the Office of Civil Rights,*  
12 *\$8,569,000.*

13 *TRANSPORTATION PLANNING, RESEARCH, AND*  
14 *DEVELOPMENT*

15 *For necessary expenses for conducting transportation*  
16 *planning, research, systems development, development ac-*  
17 *tivities, and making grants, to remain available until ex-*  
18 *pendent, \$15,836,000.*

19 *WORKING CAPITAL FUND*

20 *Necessary expenses for operating costs and capital out-*  
21 *lays of the Working Capital Fund, not to exceed*  
22 *\$116,715,000, shall be paid from appropriations made*  
23 *available to the Department of Transportation: Provided,*  
24 *That such services shall be provided on a competitive basis*  
25 *to entities within the Department of Transportation: Pro-*  
26 *vided further, That the above limitation on operating ex-*



1 *penses shall not apply to non-DOT entities: Provided fur-*  
2 *ther, That no funds appropriated in this Act to an agency*  
3 *of the Department shall be transferred to the Working Cap-*  
4 *ital Fund without the approval of the agency modal admin-*  
5 *istrator: Provided further, That no assessments may be lev-*  
6 *ied against any program, budget activity, subactivity or*  
7 *project funded by this Act unless notice of such assessments*  
8 *and the basis therefor are presented to the House and Senate*  
9 *Committees on Appropriations and are approved by such*  
10 *Committees.*

11 *MINORITY BUSINESS RESOURCE CENTER PROGRAM*

12 *For the cost of guaranteed loans, \$500,000, as author-*  
13 *ized by 49 U.S.C. 332: 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 these funds are available to subsidize total*  
17 *loan principal, any part of which is to be guaranteed, not*  
18 *to exceed \$18,367,000. In addition, for administrative ex-*  
19 *penses to carry out the guaranteed loan program, \$400,000.*

20 *MINORITY BUSINESS OUTREACH*

21 *For necessary expenses of Minority Business Resource*  
22 *Center outreach activities, \$3,000,000, to remain available*  
23 *until September 30, 2005: Provided, That notwithstanding*  
24 *49 U.S.C. 332, these funds may be used for business oppor-*  
25 *tunities related to any mode of transportation.*

1                    *PAYMENTS TO AIR CARRIERS*2                    *(AIRPORT AND AIRWAY TRUST FUND)*

3            *In addition to funds made available from any other*  
4 *source to carry out the essential air service program under*  
5 *49 U.S.C. 41731 through 41742, \$52,000,000, to be derived*  
6 *from the Airport and Airway Trust Fund, to remain avail-*  
7 *able until expended.*

8                    *FEDERAL AVIATION ADMINISTRATION*9                    *OPERATIONS*

10           *For necessary expenses of the Federal Aviation Admin-*  
11 *istration, not otherwise provided for, including operations*  
12 *and research activities related to commercial space trans-*  
13 *portation, administrative expenses for research and develop-*  
14 *ment, establishment of air navigation facilities, the oper-*  
15 *ation (including leasing) and maintenance of aircraft, sub-*  
16 *sidizing the cost of aeronautical charts and maps sold to*  
17 *the public, lease or purchase of passenger motor vehicles for*  
18 *replacement only, in addition to amounts made available*  
19 *by Public Law 104-264, \$7,535,648,000, of which*  
20 *\$6,000,000,000 shall be derived from the Airport and Air-*  
21 *way Trust Fund, of which not to exceed \$6,047,300,000*  
22 *shall be available for air traffic services program activities;*  
23 *not to exceed \$873,374,000 shall be available for aviation*  
24 *regulation and certification program activities; not to ex-*  
25 *ceed \$218,481,000 shall be available for research and acqui-*  
26 *sition program activities; not to exceed \$12,601,000 shall*

1 *be available for commercial space transportation program*  
2 *activities; not to exceed \$49,783,000 shall be available for*  
3 *financial services program activities; not to exceed*  
4 *\$77,029,000 shall be available for human resources program*  
5 *activities; not to exceed \$84,749,000 shall be available for*  
6 *regional coordination program activities; not to exceed*  
7 *\$142,650,000 shall be available for staff offices; and not to*  
8 *exceed \$29,681,000 shall be available for information serv-*  
9 *ices: Provided, That none of the funds in this Act shall be*  
10 *available for the Federal Aviation Administration to final-*  
11 *ize or implement any regulation that would promulgate*  
12 *new aviation user fees not specifically authorized by law*  
13 *after the date of the enactment of this Act: Provided further,*  
14 *That there may be credited to this appropriation funds re-*  
15 *ceived from States, counties, municipalities, foreign au-*  
16 *thorities, other public authorities, and private sources, for*  
17 *expenses incurred in the provision of agency services, in-*  
18 *cluding receipts for the maintenance and operation of air*  
19 *navigation facilities, and for issuance, renewal or modifica-*  
20 *tion of certificates, including airman, aircraft, and repair*  
21 *station certificates, or for tests related thereto, or for proc-*  
22 *essing major repair or alteration forms: Provided further,*  
23 *That of the funds appropriated under this heading, not less*  
24 *than \$6,500,000 shall be for the contract tower cost-sharing*  
25 *program: Provided further, That funds may be used to enter*

1 *into a grant agreement with a nonprofit standard-setting*  
2 *organization to assist in the development of aviation safety*  
3 *standards: Provided further, That none of the funds in this*  
4 *Act shall be available for new applicants for the second ca-*  
5 *reer training program: Provided further, That none of the*  
6 *funds in this Act shall be available for paying premium*  
7 *pay under 5 U.S.C. 5546(a) to any Federal Aviation Ad-*  
8 *ministration employee unless such employee actually per-*  
9 *formed work during the time corresponding to such pre-*  
10 *mium pay: Provided further, That none of the funds in this*  
11 *Act may be obligated or expended to operate a manned aux-*  
12 *iliary flight service station in the contiguous United States:*  
13 *Provided further, That none of the funds in this Act for*  
14 *aeronautical charting and cartography are available for ac-*  
15 *tivities conducted by, or coordinated through, the Working*  
16 *Capital Fund: Provided further, That of the amount appro-*  
17 *priated under this heading, not to exceed \$50,000 may be*  
18 *transferred to the Aircraft Loan Purchase Guarantee Pro-*  
19 *gram.*

20 *FACILITIES AND EQUIPMENT*

21 *(AIRPORT AND AIRWAY TRUST FUND)*

22 *For necessary expenses, not otherwise provided for, for*  
23 *acquisition, establishment, technical support services, im-*  
24 *provement by contract or purchase, hire of air navigation*  
25 *and experimental facilities and equipment and other cap-*  
26 *ital facilities and equipment in direct support of the Na-*

1 *tional Airspace System, as authorized under part A of sub-*  
2 *title VII of title 49, United States Code, including initial*  
3 *acquisition of necessary sites by lease or grant; engineering*  
4 *and service testing, including construction of test facilities*  
5 *and acquisition of necessary sites by lease or grant; con-*  
6 *struction and furnishing of quarters and related accom-*  
7 *modations for officers and employees of the Federal Avia-*  
8 *tion Administration stationed at remote localities where*  
9 *such accommodations are not available; and the purchase,*  
10 *lease, or transfer of aircraft from funds available under this*  
11 *heading; to be derived from the Airport and Airway Trust*  
12 *Fund, \$2,916,000,000, of which \$2,480,520,000 shall re-*  
13 *main available until September 30, 2006, and of which*  
14 *\$435,480,000 shall remain available until September 30,*  
15 *2004: Provided, That of the total amount made available*  
16 *under this heading, \$100,000,000 shall be transferred to the*  
17 *heading "Grants-in-Aid for Airports" and shall not be sub-*  
18 *ject to the obligation limitation stated therein and shall re-*  
19 *main available until expended: Provided further, That there*  
20 *may be credited to this appropriation funds received from*  
21 *States, counties, municipalities, other public authorities,*  
22 *and private sources, for expenses incurred in the establish-*  
23 *ment and modernization of air navigation facilities: Pro-*  
24 *vided further, That upon initial submission to the Congress*  
25 *of the fiscal year 2005 President's budget, the Secretary of*

1 *Transportation shall transmit to the Congress a comprehen-*  
2 *sive capital investment plan for the Federal Aviation Ad-*  
3 *ministration which includes funding for each budget line*  
4 *item for fiscal years 2005 through 2009, with total funding*  
5 *for each year of the plan constrained to the funding targets*  
6 *for those years as estimated and approved by the Office of*  
7 *Management and Budget.*

8 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

9 *(AIRPORT AND AIRWAY TRUST FUND)*

10 *For necessary expenses, not otherwise provided for, for*  
11 *research, engineering, and development, as authorized*  
12 *under part A of subtitle VII of title 49, United States Code,*  
13 *including construction of experimental facilities and acqui-*  
14 *sition of necessary sites by lease or grant, \$118,939,000, to*  
15 *be derived from the Airport and Airway Trust Fund and*  
16 *to remain available until September 30, 2006: Provided,*  
17 *That there may be credited to this appropriation funds re-*  
18 *ceived from States, counties, municipalities, other public*  
19 *authorities, and private sources, for expenses incurred for*  
20 *research, engineering, and development.*

21 *GRANTS-IN-AID FOR AIRPORTS*

22 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

23 *(LIMITATION ON OBLIGATIONS)*

24 *(AIRPORT AND AIRWAY TRUST FUND)*

25 *For liquidation of obligations incurred for grants-in-*  
26 *aid for airport planning and development, and noise com-*

1 *patibility planning and programs as authorized under sub-*  
2 *chapter I of chapter 471 and subchapter I of chapter 475*  
3 *of title 49, United States Code, and under other law author-*  
4 *izing such obligations; for procurement, installation, and*  
5 *commissioning of runway incursion prevention devices and*  
6 *systems at airports of such title; for grants authorized under*  
7 *section 41743 of title 49, United States Code; and for in-*  
8 *spection activities and administration of airport safety pro-*  
9 *grams, including those related to airport operating certifi-*  
10 *cates under section 44706 of title 49, United States Code,*  
11 *\$3,400,000,000, to be derived from the Airport and Airway*  
12 *Trust Fund and to remain available until expended: Pro-*  
13 *vided, That none of the funds under this heading shall be*  
14 *available for the planning or execution of programs the obli-*  
15 *gations for which are in excess of \$3,400,000,000 in fiscal*  
16 *year 2004, notwithstanding section 47117(g) of title 49,*  
17 *United States Code: Provided further, That none of the*  
18 *funds under this heading shall be available for the replace-*  
19 *ment of baggage conveyor systems, reconfiguration of ter-*  
20 *минаl baggage areas, or other airport improvements that*  
21 *are necessary to install bulk explosive detection systems:*  
22 *Provided further, That notwithstanding any other provision*  
23 *of law, not more than \$66,638,000 of funds limited under*  
24 *this heading shall be obligated for administration and not*

1 *less than \$20,000,000 shall be for the Small Community*  
2 *Air Service Development Pilot Program.*

3 *AVIATION INSURANCE REVOLVING FUND*

4 *The Secretary of Transportation is hereby authorized*  
5 *to make such expenditures and investments, within the lim-*  
6 *its of funds available pursuant to 49 U.S.C. 44307, and*  
7 *in accordance with section 104 of the Government Corpora-*  
8 *tion Control Act, as amended (31 U.S.C. 9104), as may*  
9 *be necessary in carrying out the program for aviation in-*  
10 *surance activities under chapter 443 of title 49, United*  
11 *States Code.*

12 *GENERAL PROVISIONS—FEDERAL AVIATION*

13 *ADMINISTRATION*

14 *SEC. 101. Notwithstanding any other provision of law,*  
15 *airports may transfer, without consideration, to the Federal*  
16 *Aviation Administration (FAA) instrument landing sys-*  
17 *tems (along with associated approach lighting equipment*  
18 *and runway visual range equipment) which conform to*  
19 *FAA design and performance specifications, the purchase*  
20 *of which was assisted by a Federal airport-aid program,*  
21 *airport development aid program or airport improvement*  
22 *program grant: Provided, That, the Federal Aviation Ad-*  
23 *ministration shall accept such equipment, which shall there-*  
24 *after be operated and maintained by FAA in accordance*  
25 *with agency criteria.*



1        *SEC. 102. None of the funds in this Act may be used*  
2 *to compensate in excess of 350 technical staff-years under*  
3 *the federally funded research and development center con-*  
4 *tract between the Federal Aviation Administration and the*  
5 *Center for Advanced Aviation Systems Development during*  
6 *fiscal year 2004.*

7        *SEC. 103. None of the funds in this Act shall be used*  
8 *to pursue or adopt guidelines or regulations requiring air-*  
9 *port sponsors to provide to the Federal Aviation Adminis-*  
10 *tration without cost building construction, maintenance,*  
11 *utilities and expenses, or space in airport sponsor-owned*  
12 *buildings for services relating to air traffic control, air*  
13 *navigation, or weather reporting: Provided, That the prohi-*  
14 *bition of funds in this section does not apply to negotiations*  
15 *between the agency and airport sponsors to achieve agree-*  
16 *ment on “below-market” rates for these items or to grant*  
17 *assurances that require airport sponsors to provide land*  
18 *without cost to the FAA for air traffic control.*

19        *SEC. 104. For an airport project that the Adminis-*  
20 *trator of the Federal Aviation Administration (FAA) deter-*  
21 *mines will add critical airport capacity to the national air*  
22 *transportation system, the Administrator is authorized to*  
23 *accept funds from an airport sponsor, including entitlement*  
24 *funds provided under the “Grants-in-Aid for Airports” pro-*  
25 *gram, for the FAA to hire additional staff or obtain the*

1 *services of consultants: Provided, That the Administrator*  
2 *is authorized to accept and utilize such funds only for the*  
3 *purpose of facilitating the timely processing, review, and*  
4 *completion of environmental activities associated with such*  
5 *project.*

6 *SEC. 105. The Federal Aviation Administration shall*  
7 *give priority consideration to Paulding County, Georgia*  
8 *Airport Improvements for the Airport Improvement Pro-*  
9 *gram.*

10 *SEC. 106. None of the funds appropriated or otherwise*  
11 *made available by this Act may be obligated or expended*  
12 *to establish or implement a pilot program under which not*  
13 *more than 10 designated essential air service communities*  
14 *located in proximity to hub airports are required to assume*  
15 *10 percent of their essential air subsidy costs for a 4-year*  
16 *period, commonly referred to as the EAS local participation*  
17 *program.*

18 *SEC. 107. The Administrator of the Federal Aviation*  
19 *Administration may, for purposes of chapter 471 of title*  
20 *49, United States Code, give priority consideration to a let-*  
21 *ter of intent application for funding submitted by the City*  
22 *of Gary, Indiana, or the State of Indiana, for the extension*  
23 *of the main runway at the Gary/Chicago Airport. The letter*  
24 *of intent application shall be considered upon completion*  
25 *of the environmental impact statement and benefit cost*

1 *analysis in accordance with Federal Aviation Administra-*  
2 *tion requirements. The Administrator shall consider the let-*  
3 *ter of intent application not later than 90 days after receiv-*  
4 *ing it from the applicant.*

5 *SEC. 108. None of the funds in this Act may be used*  
6 *to adopt rules or regulations concerning travel agent service*  
7 *fees unless the Department of Transportation publishes in*  
8 *the Federal Register revisions to the proposed rule and pro-*  
9 *vides a period for additional public comment on such pro-*  
10 *posed rule for a period not less than 60 days.*

11 *SEC. 109. It is the sense of the Senate that the Sec-*  
12 *retary of Transportation must, in connection with the*  
13 *Philadelphia International Airport Capacity Enhancement*  
14 *Program, consider the impact of aircraft noise on northern*  
15 *Delaware—*

16 *(1) within the scope of the environmental impact*  
17 *statement prepared in connection with the Program;*  
18 *and*

19 *(2) as part of any study of aircraft noise re-*  
20 *quired under the National Environmental Protection*  
21 *Act of 1969 and conducted pursuant to part 150 of*  
22 *title 14, Code of Federal Regulations, or any successor*  
23 *regulations.*

24 *SEC. 110. Of the total amount appropriated under this*  
25 *title for the Federal Aviation Administration under the*

1 heading “*FACILITIES AND EQUIPMENT*”, \$2,000,000 shall be  
2 available for air traffic control facilities, John C. Stennis  
3 International Airport, Hancock County, Mississippi.

4 *FEDERAL HIGHWAY ADMINISTRATION*

5 *LIMITATION ON ADMINISTRATIVE EXPENSES*

6 *Necessary expenses for administration and operation*  
7 *of the Federal Highway Administration, not to exceed*  
8 *\$337,834,000, shall be paid in accordance with law from*  
9 *appropriations made available by this Act to the Federal*  
10 *Highway Administration together with advances and reim-*  
11 *bursements received by the Federal Highway Administra-*  
12 *tion: Provided, That of the funds available under section*  
13 *104(a)(1)(A) of title 23, United States Code: \$20,000,000*  
14 *shall be available to provide grants to States for the develop-*  
15 *ment or enhancement of notification or communications*  
16 *systems along highways for alerts and other information*  
17 *for the recovery of abducted children under section 303 of*  
18 *Public Law 108–21; \$175,000,000 shall be available to en-*  
19 *able the Secretary of Transportation to make grants for sur-*  
20 *face transportation projects, and shall remain available*  
21 *until expended; \$7,000,000 shall be available for environ-*  
22 *mental streamlining activities, which may include making*  
23 *grants to, or entering into contracts, cooperative agree-*  
24 *ments, and other transactions, with a Federal agency, State*

1 *agency, local agency, authority, association, nonprofit or*  
2 *for-profit corporation, or institution of higher education.*

3 *FEDERAL-AID HIGHWAYS*

4 *(LIMITATION ON OBLIGATIONS)*

5 *(HIGHWAY TRUST FUND)*

6 *None of the funds in this Act shall be available for*  
7 *the implementation or execution of programs, the obliga-*  
8 *tions for which are in excess of \$33,843,000,000 for Federal-*  
9 *aid highways and highway safety construction programs for*  
10 *fiscal year 2004: Provided, That within the \$33,843,000,000*  
11 *obligation limitation on Federal-aid highways and highway*  
12 *safety construction programs, not more than \$462,500,000*  
13 *shall be available for the implementation or execution of*  
14 *programs for transportation research (sections 502, 503,*  
15 *504, 506, 507, and 508 of title 23, United States Code, as*  
16 *amended; section 5505 of title 49, United States Code, as*  
17 *amended; and sections 5112 and 5204–5209 of Public Law*  
18 *105–178) for fiscal year 2003: Provided further, That this*  
19 *limitation on transportation research programs shall not*  
20 *apply to any authority previously made available for obli-*  
21 *gation: Provided further, That within the \$232,000,000 ob-*  
22 *ligation limitation on Intelligent Transportation Systems,*  
23 *the following sums shall be made available for Intelligent*  
24 *Transportation System projects that are designed to achieve*  
25 *the goals and purposes set forth in section 5203 of the Intel-*  
26 *ligent Transportation Systems Act of 1998 (subtitle C of*

1 *title V of Public Law 105–178; 112 Stat. 453; 23 U.S.C.*

2 *502 note) in the following specified areas:*

3 *511 Traveler Information Program, North Caro-*  
4 *lina, \$400,000;*

5 *Advanced Ticket Collection and Passenger Infor-*  
6 *mation Systems, New Jersey, \$1,500,000;*

7 *Advanced Traffic Analysis Center, North Dakota,*  
8 *\$500,000;*

9 *Advanced Transportation Management Systems*  
10 *(AMTS), Montgomery County, Maryland, \$1,000,000;*

11 *ATR Transportation Technology/CVISN, New*  
12 *Mexico, \$1,000,000;*

13 *Auburn, Auburn Way South ITS, Washington,*  
14 *\$1,600,000;*

15 *Cargo Watch Logistics Information System, New*  
16 *York, \$4,000,000;*

17 *CCTA Intelligent Transportation Systems,*  
18 *Vermont, \$1,000,000;*

19 *Central Florida Regional Transportation Au-*  
20 *thority: North Orange/South Seminole ITS Enhanced*  
21 *Circulator, \$2,500,000;*

22 *City of Boston Intelligent Transportation Sys-*  
23 *tems, Massachusetts, \$1,750,000;*

24 *City of Huntsville, Alabama ITS, \$5,000,000;*

- 1            *City of Shreveport Intelligent Transportation*  
2            *System Deployment, Louisiana, \$1,000,000;*
- 3            *Clark County Transit, VAST ITS, Washington,*  
4            *\$1,600,000;*
- 5            *Dynamic Changeable Message Signs—Urban*  
6            *Interstate System, Iowa, \$1,000,000;*
- 7            *Fiber Optic Signal Interconnect System, Ari-*  
8            *zona, \$4,000,000;*
- 9            *Germantown Parkway ITS Project, Tennessee,*  
10           *\$3,000,000;*
- 11           *GMU ITS, Virginia, \$1,000,000*
- 12           *George Washington University, Virginia Cam-*  
13           *pus, \$1,000,000*
- 14           *Great Lakes ITS, Michigan, \$2,000,000;*
- 15           *Greater Philadelphia Chamber of Commerce ITS*  
16           *System, Pennsylvania, \$2,000,000;*
- 17           *Hillsborough Area Regional Transit Bus Track-*  
18           *ing, Communication and Security, Florida,*  
19           *\$1,000,000;*
- 20           *Hoosier SAFE-T, Indiana, \$3,500,000;*
- 21           *I-70 Incident Management Plan, Colorado,*  
22           *\$3,000,000;*
- 23           *Intelligent Transportation Systems—Phases II*  
24           *and III, Ohio, \$1,250,000;*

- 1            *Intelligent Transportation Systems [ITS] State-*  
2            *wide and Commercial Vehicle Information Systems*  
3            *Network [CVISN], Maryland, \$1,000,000;*
- 4            *Intelligent Transportation Systems, Illinois,*  
5            *\$4,000,000;*
- 6            *Iowa Transit Communications, \$1,500,000;*
- 7            *ITS Expansion in Davis and Utah Counties,*  
8            *Utah, \$1,250,000;*
- 9            *ITS, Cache Valley, Utah, \$1,000,000;*
- 10           *Jacksonville Transportation Authority: Intel-*  
11           *ligent Transportation Systems Regional Planning,*  
12           *Florida, \$1,000,000;*
- 13           *King County, Countywide Signaling Program,*  
14           *Washington, \$1,500,000;*
- 15           *Lewis & Clark 511 Coalition, Montana,*  
16           *\$1,000,000;*
- 17           *Lincoln, Nebraska StarTran Automatic Vehicle*  
18           *Location System, \$1,000,000;*
- 19           *Maine Statewide ITS, \$1,000,000;*
- 20           *MARTA Automated Fare Collection/Smart Card*  
21           *System, Georgia, \$1,500,000;*
- 22           *Mid-America Surface Transportation Weather*  
23           *Research Institute, North Dakota, \$1,000,000;*
- 24           *Missouri Statewide Rural ITS, \$5,000,000;*



1           *Nebraska Statewide Intelligent Transportation*  
2           *System Deployment, \$2,000,000;*  
3           *Oklahoma Statewide ITS, \$5,000,000;*  
4           *Port of Anchorage Intermodal Facility, Alaska,*  
5           *\$1,500,000;*  
6           *Program of Projects, Washington, \$5,400,000;*  
7           *RIPTA ITS Program Phase II, Rhode Island,*  
8           *\$1,500,000;*  
9           *Real Time Transit Passenger Information Sys-*  
10          *tem for the Prince George’s County Department of*  
11          *Public Works, Maryland, \$1,000,000;*  
12          *Sacramento Area Council of Governments—ITS*  
13          *Projects, California, \$4,000,000;*  
14          *SCDOT InRoads, South Carolina, \$3,000,000;*  
15          *Seattle City Center ITS, Washington,*  
16          *\$2,500,000;*  
17          *Springfield, Missouri Regional ITS, \$2,000,000;*  
18          *State of Vermont Interstate Variable Message*  
19          *Signs and Weather Information Stations, \$1,000,000;*  
20          *Statewide AVL Initiative, Nebraska, \$750,000;*  
21          *TalTran: ITS Smart Bus Implementation, Flor-*  
22          *ida, \$1,500,000;*  
23          *Texas Medical Center Early Warning Transpor-*  
24          *tation System, \$2,000,000;*

1           *Texas Statewide ITS Deployment and Integra-*  
2           *tion, \$1,000,000;*

3           *Town of Cary: Computerized Traffic Signal Sys-*  
4           *tem Project, North Carolina, \$1,600,000;*

5           *Transportation Research Center [TRC] for*  
6           *Freight, Trade, Security, and Economic Strength,*  
7           *Georgia, \$1,000,000;*

8           *Tri-County Automated System Project, Univer-*  
9           *sity of Southern Mississippi, \$1,000,000;*

10          *Tukwila, Signalization Interconnect and Intel-*  
11          *ligent Transportation, Washington, \$1,400,000;*

12          *Twin Cities, Minnesota Redundant Communica-*  
13          *tions Pilot, \$2,000,000;*

14          *UAB Center for Injury Sciences, Birmingham,*  
15          *Alabama, \$2,000,000;*

16          *University of Alaska Transportation Research*  
17          *Center, \$2,000,000;*

18          *University of Kentucky Transportation Center,*  
19          *\$1,500,000;*

20          *University of Oklahoma Intelligent Bridge Sys-*  
21          *tem Research, \$3,000,000;*

22          *Wisconsin State Patrol Mobile Data Computer*  
23          *Network Phase II, \$3,000,000;*

24          *Wyoming Statewide ITS Initiative, \$5,000,000.*

1                                    *FEDERAL-AID HIGHWAYS*  
2                                    *(LIQUIDATION OF CONTRACT AUTHORIZATION)*  
3                                    *(HIGHWAY TRUST FUND)*

4            *Notwithstanding any other provision of law, for car-*  
5 *rying out the provisions of title 23, United States Code,*  
6 *that are attributable to Federal-aid highways, including the*  
7 *National Scenic and Recreational Highway as authorized*  
8 *by 23 U.S.C. 148, not otherwise provided, including reim-*  
9 *bursement for sums expended pursuant to the provisions of*  
10 *23 U.S.C. 308, \$34,000,000,000 or so much thereof as may*  
11 *be available in and derived from the Highway Trust Fund,*  
12 *to remain available until expended.*

13                                    *(RESCISSION)*

14            *Of the unobligated balances of funds apportioned to*  
15 *each state under the program authorized under sections*  
16 *1101(a)(1), 1101(a)(2), 1101(a)(3), 1101(a)(4), and*  
17 *1101(a)(5) of Public Law 105–178, as amended,*  
18 *\$156,000,000 are rescinded.*

19                                    *APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM*

20            *For necessary expenses for the Appalachian Develop-*  
21 *ment Highway System as authorized under section 1069(y)*  
22 *of Public Law 102–240, as amended, \$150,000,000, to re-*  
23 *main available until expended.*

## 1           GENERAL PROVISIONS—FEDERAL HIGHWAY

## 2                           ADMINISTRATION

3           SEC. 110. (a) For fiscal year 2004, the Secretary of  
4 Transportation shall—

5                   (1) not distribute from the obligation limitation  
6 for Federal-aid Highways amounts authorized for ad-  
7 ministrative expenses and programs funded from the  
8 administrative takedown authorized by section  
9 104(a)(1)(A) of title 23, United States Code, for the  
10 highway use tax evasion program, and for the Bureau  
11 of Transportation Statistics;

12                   (2) not distribute an amount from the obligation  
13 limitation for Federal-aid Highways that is equal to  
14 the unobligated balance of amounts made available  
15 from the Highway Trust Fund (other than the Mass  
16 Transit Account) for Federal-aid highways and high-  
17 way safety programs for the previous fiscal year the  
18 funds for which are allocated by the Secretary;

19                   (3) determine the ratio that—

20                           (A) the obligation limitation for Federal-aid  
21 Highways less the aggregate of amounts not dis-  
22 tributed under paragraphs (1) and (2), bears to

23                           (B) the total of the sums authorized to be  
24 appropriated for Federal-aid highways and high-  
25 way safety construction programs (other than

1           *sums authorized to be appropriated for sections*  
2           *set forth in paragraphs (1) through (7) of sub-*  
3           *section (b) and sums authorized to be appro-*  
4           *priated for section 105 of title 23, United States*  
5           *Code, equal to the amount referred to in sub-*  
6           *section (b)(8)) for such fiscal year less the aggre-*  
7           *gate of the amounts not distributed under para-*  
8           *graph (1) of this subsection;*

9           *(4) distribute the obligation limitation for Fed-*  
10          *eral-aid Highways less the aggregate amounts not dis-*  
11          *tributed under paragraphs (1) and (2) for section 201*  
12          *of the Appalachian Regional Development Act of 1965*  
13          *and \$2,000,000,000 for such fiscal year under section*  
14          *105 of title 23, United States Code (relating to min-*  
15          *imum guarantee) so that the amount of obligation au-*  
16          *thority available for each of such sections is equal to*  
17          *the amount determined by multiplying the ratio de-*  
18          *termined under paragraph (3) by the sums authorized*  
19          *to be appropriated for such section (except in the case*  
20          *of section 105, \$2,000,000,000) for such fiscal year;*

21          *(5) distribute the obligation limitation provided*  
22          *for Federal-aid Highways less the aggregate amounts*  
23          *not distributed under paragraphs (1) and (2) and*  
24          *amounts distributed under paragraph (4) for each of*  
25          *the programs that are allocated by the Secretary*

1        *under title 23, United States Code (other than activi-*  
2        *ties to which paragraph (1) applies and programs to*  
3        *which paragraph (4) applies) by multiplying the*  
4        *ratio determined under paragraph (3) by the sums*  
5        *authorized to be appropriated for such program for*  
6        *such fiscal year; and*

7                *(6) distribute the obligation limitation provided*  
8        *for Federal-aid Highways less the aggregate amounts*  
9        *not distributed under paragraphs (1) and (2) and*  
10        *amounts distributed under paragraphs (4) and (5) for*  
11        *Federal-aid highways and highway safety construc-*  
12        *tion programs (other than the minimum guarantee*  
13        *program, but only to the extent that amounts appor-*  
14        *tioned for the minimum guarantee program for such*  
15        *fiscal year exceed \$2,639,000,000, and the Appa-*  
16        *lachian development highway system program) that*  
17        *are apportioned by the Secretary under title 23,*  
18        *United States Code, in the ratio that—*

19                *(A) sums authorized to be appropriated for*  
20        *such programs that are apportioned to each*  
21        *State for such fiscal year, bear to*

22                *(B) the total of the sums authorized to be*  
23        *appropriated for such programs that are appor-*  
24        *tioned to all States for such fiscal year.*

1           (b) *EXCEPTIONS FROM OBLIGATION LIMITATION.*—  
2 *The obligation limitation for Federal-aid Highways shall*  
3 *not apply to obligations: (1) under section 125 of title 23,*  
4 *United States Code; (2) under section 147 of the Surface*  
5 *Transportation Assistance Act of 1978; (3) under section*  
6 *9 of the Federal-Aid Highway Act of 1981; (4) under sec-*  
7 *tions 131(b) and 131(j) of the Surface Transportation As-*  
8 *sistance Act of 1982; (5) under sections 149(b) and 149(c)*  
9 *of the Surface Transportation and Uniform Relocation As-*  
10 *sistance Act of 1987; (6) under sections 1103 through 1108*  
11 *of the Intermodal Surface Transportation Efficiency Act of*  
12 *1991; (7) under section 157 of title 23, United States Code,*  
13 *as in effect on the day before the date of the enactment of*  
14 *the Transportation Equity Act for the 21st Century; (8)*  
15 *under section 105 of title 23, United States Code (but, only*  
16 *in an amount equal to \$639,000,000 for such fiscal year);*  
17 *and for Federal-aid highway programs for which obligation*  
18 *authority was made available under the Transportation*  
19 *Equity Act for the 21st Century or subsequent public laws*  
20 *for multiple years or to remain available until used, but*  
21 *only to the extent that such obligation authority has not*  
22 *lapsed or been used.*

23           (c) *REDISTRIBUTION OF UNUSED OBLIGATION AU-*  
24 *THORITY.*—*Notwithstanding subsection (a), the Secretary*  
25 *shall after August 1 for such fiscal year revise a distribution*

1 *of the obligation limitation made available under subsection*  
2 *(a) if a State will not obligate the amount distributed dur-*  
3 *ing that fiscal year and redistribute sufficient amounts to*  
4 *those States able to obligate amounts in addition to those*  
5 *previously distributed during that fiscal year giving pri-*  
6 *ority to those States having large unobligated balances of*  
7 *funds apportioned under sections 104 and 144 of title 23,*  
8 *United States Code, section 160 (as in effect on the day*  
9 *before the enactment of the Transportation Equity Act for*  
10 *the 21st Century) of title 23, United States Code, and under*  
11 *section 1015 of the Intermodal Surface Transportation Effi-*  
12 *ciency Act of 1991 (105 Stat. 1943–1945).*

13 *(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO*  
14 *TRANSPORTATION RESEARCH PROGRAMS.—The obligation*  
15 *limitation shall apply to transportation research programs*  
16 *carried out under chapter 5 of title 23, United States Code,*  
17 *except that obligation authority made available for such*  
18 *programs under such limitation shall remain available for*  
19 *a period of 3 fiscal years.*

20 *(e) REDISTRIBUTION OF CERTAIN AUTHORIZED*  
21 *FUNDS.—Not later than 30 days after the date of the dis-*  
22 *tribution of obligation limitation under subsection (a), the*  
23 *Secretary shall distribute to the States any funds: (1) that*  
24 *are authorized to be appropriated for such fiscal year for*  
25 *Federal-aid highways programs (other than the program*



1 *under section 160 of title 23, United States Code) and for*  
2 *carrying out subchapter I of chapter 311 of title 49, United*  
3 *States Code, and highway-related programs under chapter*  
4 *4 of title 23, United States Code; and (2) that the Secretary*  
5 *determines will not be allocated to the States, and will not*  
6 *be available for obligation, in such fiscal year due to the*  
7 *imposition of any obligation limitation for such fiscal year.*  
8 *Such distribution to the States shall be made in the same*  
9 *ratio as the distribution of obligation authority under sub-*  
10 *section (a)(6). The funds so distributed shall be available*  
11 *for any purposes described in section 133(b) of title 23,*  
12 *United States Code.*

13 *(f) SPECIAL RULE.—Obligation limitation distributed*  
14 *for a fiscal year under subsection (a)(4) of this section for*  
15 *a section set forth in subsection (a)(4) shall remain avail-*  
16 *able until used and shall be in addition to the amount of*  
17 *any limitation imposed on obligations for Federal-aid high-*  
18 *way and highway safety construction programs for future*  
19 *fiscal years.*

20 *(g) Of the obligation limitation transferred to the Na-*  
21 *tional Highway Traffic Safety Administration for expenses*  
22 *necessary to discharge the functions of the Secretary with*  
23 *respect to traffic and highway safety under chapter 301 of*  
24 *title 49, United States Code, and part C of subtitle VI of*

1 *title 49, United States Code, \$94,543,500 shall remain*  
2 *available until September 30, 2006.*

3 *SEC. 111. Notwithstanding any other provision of law,*  
4 *whenever an allocation is made of the sums authorized to*  
5 *be appropriated for expenditure on the Federal lands high-*  
6 *way program, and whenever an apportionment is made of*  
7 *the sums authorized to be appropriated for expenditure on*  
8 *the surface transportation program, the congestion mitiga-*  
9 *tion and air quality improvement program, the National*  
10 *Highway System, the Interstate maintenance program, the*  
11 *bridge program, the Appalachian development highway sys-*  
12 *tem, and the minimum guarantee program, the Secretary*  
13 *of Transportation shall—*

14 *(1) deduct a sum in such amount not to exceed*  
15 *2.55 percent of all sums so made available, as the*  
16 *Secretary determines necessary, to administer the*  
17 *provisions of law to be financed from appropriations*  
18 *for motor carrier safety programs and motor carrier*  
19 *safety research: Provided, That any deduction by the*  
20 *Secretary of Transportation in accordance with this*  
21 *subsection shall be deemed to be a deduction under*  
22 *section 104(a)(1)(B) of title 23, United States Code,*  
23 *and the sum so deducted shall remain available until*  
24 *expended; and*

1           (2) deduct a sum in such amount not to exceed  
2           1.05 percent of all sums so made available, as the  
3           Secretary determines necessary to administer the pro-  
4           visions of law to be financed from appropriations for  
5           the programs authorized under chapters 1 and 2 of  
6           title 23, United States Code, and to make transfers in  
7           accordance with section 104(a)(1)(A)(ii) of title 23,  
8           United States Code: Provided, That any deduction by  
9           the Secretary of Transportation in accordance with  
10          this subsection shall be deemed to be a deduction  
11          under section 104(a)(1)(A) of title 23, United States  
12          Code, and the sum so deducted shall remain available  
13          until expended.

14          SEC. 112. Notwithstanding 31 U.S.C. 3302, funds re-  
15          ceived by the Bureau of Transportation Statistics from the  
16          sale of data products, for necessary expenses incurred pur-  
17          suant to 49 U.S.C. 111 may be credited to the Federal-aid  
18          highways account for the purpose of reimbursing the Bu-  
19          reau for such expenses: Provided, That such funds shall be  
20          subject to the obligation limitation for Federal-aid high-  
21          ways and highway safety construction.

22          SEC. 113. For fiscal year 2004, notwithstanding any  
23          other provision of law, historic covered bridges eligible for  
24          Federal assistance under section 1224 of the Transportation  
25          Equity Act for the 21st Century, as amended, may be fund-

1 *ed from amounts set aside for the discretionary bridge pro-*  
2 *gram.*

3       *SEC. 114. (a) IN GENERAL.—As soon as practicable*  
4 *after the date of enactment of this Act, the Secretary of*  
5 *Transportation shall enter into an agreement with the State*  
6 *of Nevada, the State of Arizona, or both, to provide a meth-*  
7 *od of funding for construction of a Hoover Dam Bypass*  
8 *Bridge from funds allocated for the Federal Lands Highway*  
9 *Program under section 202(b) of title 23, United States*  
10 *Code.*

11       *(b) METHODS OF FUNDING.—*

12           *(1) The agreement entered into under subsection*  
13 *(a) shall provide for funding in a manner consistent*  
14 *with the advance construction and debt instrument fi-*  
15 *ancing procedures for Federal-aid highways set forth*  
16 *in section 115 and 122 of title 23, except that the*  
17 *funding source may include funds made available*  
18 *under the Federal Lands Highway Program.*

19           *(2) Eligibility for funding under this subsection*  
20 *shall not be construed as a commitment, guarantee, or*  
21 *obligation on the part of the United States to provide*  
22 *for payment of principal or interest of an eligible*  
23 *debt financing instrument as so defined in section*  
24 *122, nor create a right of a third party against the*  
25 *United States for payment under an eligible debt fi-*

1        *nancing instrument. The agreement entered into pur-*  
2        *suant to subsection (a) shall make specific reference to*  
3        *this provision of law.*

4            (3) *The provisions of this section do not limit the*  
5        *use of other available funds for which the project ref-*  
6        *erenced in subsection (a) is eligible.*

7        *SEC. 115. Section 1108 of the Intermodal Surface*  
8        *Transportation Efficiency Act of 1991, item number 8, is*  
9        *amended by striking “To relocate” and all that follows*  
10       *through “Street” and inserting the following, “For road im-*  
11       *provements and non-motorized enhancements in the Detroit*  
12       *East Riverfront, Detroit, Michigan”.*

13       *SEC. 116. The funds provided under the heading*  
14       *“Transportation and Community and System Preservation*  
15       *Program” in Conference Report 106–940 for the Lodge*  
16       *Freeway pedestrian overpass, Detroit, Michigan, shall be*  
17       *transferred to, and made available for, enhancements in the*  
18       *East Riverfront, Detroit, Michigan.*

19       *SEC. 117. The funds provided under the heading*  
20       *“Transportation and Community and System Preservation*  
21       *Program” in Conference Report 107–308 for the Eastern*  
22       *Market pedestrian overpass park, shall be transferred to,*  
23       *and made available for, enhancements in the East River-*  
24       *front, Detroit, Michigan.*

1        *SEC. 118. KANSAS RECREATION AREAS. Any unex-*  
2 *pended balances of the amounts made available by the Con-*  
3 *solidated Appropriations Resolution, 2003 (Public Law*  
4 *108–7) from the Federal-aid highway account for improve-*  
5 *ments to Council Grove Lake, Kansas, shall be available*  
6 *to make improvements to Richey Cove, Santa Fe Recreation*  
7 *Area, Canning Creek Recreation Area, and other areas in*  
8 *the State of Kansas.*

9        *SEC. 119. Of the amounts made available under this*  
10 *title under the heading “FEDERAL-AID HIGHWAYS” for*  
11 *Texas Statewide ITS Deployment and Integration—*

12            (1) *\$500,000 shall be made available for the de-*  
13 *ployment and implementation of an Intelligent*  
14 *Transportation System project at Port of Galveston,*  
15 *Texas; and*

16            (2) *\$500,000 shall be made available for the de-*  
17 *ployment and implementation of an Intelligent*  
18 *Transportation System project at City of Lubbock,*  
19 *Texas.*

20        *SEC. 120. EXTENSION OF RESEARCH PROJECTS*  
21 *UNDER TEA–21. For fiscal year 2004 only, the Federal*  
22 *Highway Administration is instructed to extend and fund*  
23 *current research projects under title V of TEA–21 through*  
24 *February 29, 2004.*

1        *SEC. 121. Of the amount appropriated or otherwise*  
2 *made available for Transportation, Planning, and Re-*  
3 *search, \$850,000 shall be available for interior air quality*  
4 *demonstration activities at the Bristol, Virginia, control fa-*  
5 *cility to evaluate standard industrial fuel system perform-*  
6 *ance and efficiency with drive-by-wire engine management*  
7 *and emissions systems and \$1,000,000 shall be available for*  
8 *the Market Street enhancement project in Burlington,*  
9 *Vermont.*

10        *SEC. 122. Of the funds made available or limited in*  
11 *this Act, \$3,000,000 shall be available for improvements to*  
12 *Bowman Road and Johnnie Dodds Boulevard, Highway*  
13 *17, Mt. Pleasant, South Carolina; \$1,000,000 shall be for*  
14 *the Arkwright Connector and no funds shall be available*  
15 *for the Northwest Bypass project.*

16        *FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION*

17                                *MOTOR CARRIER SAFETY*

18                                *LIMITATION ON ADMINISTRATIVE EXPENSES*

19                                *(HIGHWAY TRUST FUND)*

20                                *(INCLUDING TRANSFER OF FUNDS)*

21        *For necessary expenses for administration of motor*  
22 *carrier safety programs and motor carrier safety research,*  
23 *pursuant to section 104(a)(1)(B) of title 23, United States*  
24 *Code, not to exceed \$292,972,233 shall be paid in accord-*  
25 *ance with law from appropriations made available by this*  
26 *Act and from any available take-down balances to the Fed-*

1 *eral Motor Carrier Safety Administration, together with*  
2 *advances and reimbursements received by the Federal Motor*  
3 *Carrier Safety Administration: Provided, That such*  
4 *amounts shall be available to carry out the functions and*  
5 *operations of the Federal Motor Carrier Safety Administra-*  
6 *tion: Provided further, That notwithstanding any other pro-*  
7 *vision of law, \$11,744,000 of the funds made available*  
8 *under this heading shall be transferred to and merged with*  
9 *funding provided for grants to the States for implementa-*  
10 *tion of section 210 of Public Law 106–159 under “Federal*  
11 *Motor Carrier Safety Administration, Motor Carrier Safety*  
12 *Assistance Program”:* *Provided further, That of the funds*  
13 *made available under this heading, \$47,000,000 shall be*  
14 *available for the border enforcement program as authorized*  
15 *under section 350 of the Department of Transportation and*  
16 *Related Agencies Appropriations Act, 2002.*

17 *NATIONAL MOTOR CARRIER SAFETY PROGRAM*

18 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

19 *(LIMITATION ON OBLIGATIONS)*

20 *(HIGHWAY TRUST FUND)*

21 *Notwithstanding any other provision of law, for pay-*  
22 *ment of obligations incurred in carrying out 49 U.S.C.*  
23 *31102, 31106 and 31309, \$190,000,000, to be derived from*  
24 *the Highway Trust Fund and to remain available until ex-*  
25 *pended: Provided, That none of the funds in this Act shall*  
26 *be available for the implementation or execution of pro-*



1 *grams the obligations for which are in excess of*  
2 *\$190,000,000 for “Motor Carrier Safety Grants”, and “In-*  
3 *formation Systems”.*

4           *GENERAL PROVISION—MOTOR CARRIER SAFETY*

5                           *ADMINISTRATION*

6           *SEC. 130. None of the funds appropriated or made*  
7 *available by this Act shall be used to implement or enforce*  
8 *any provision of the Final Rule issued on April 16, 2003*  
9 *(Docket No. FMCSA–97–2350) as it may apply to operators*  
10 *of utility service vehicles as defined in 49 C.F.R. 395.2.*

11           *SEC. 131. No funds appropriated or otherwise made*  
12 *available by this Act may be used to implement or enforce*  
13 *any provisions of the Final Rule, issued on April 16, 2003*  
14 *(Docket No. FMCSA–97–2350), with respect to either of the*  
15 *following:*

16                   (1) *The operators of utility service vehicles, as*  
17 *that term is defined in section 395.2 of title 49, Code*  
18 *of Federal Regulations.*

19                   (2) *Maximum daily hours of service for drivers*  
20 *engaged in the transportation of property or pas-*  
21 *sengers to or from a motion picture or television pro-*  
22 *duction site located within a 100-air mile radius of*  
23 *the work reporting location of such drivers.*

1     *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*  
2                                     *OPERATIONS AND RESEARCH*  
3                                     *(HIGHWAY TRUST FUND)*

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, \$148,102,000,*  
8 *to be derived from funds available under 104(a)(1)(A) of*  
9 *title 23, United States Code: Provided, That such funds*  
10 *shall be transferred to and administered by the National*  
11 *Highway Traffic Safety Administration: Provided further,*  
12 *That none of the funds appropriated by this Act may be*  
13 *obligated or expended to plan, finalize, or implement any*  
14 *rulemaking to add to section 575.104 of title 49 of the Code*  
15 *of Federal Regulations any requirement pertaining to a*  
16 *grading standard that is different from the three grading*  
17 *standards (treadwear, traction, and temperature resistance)*  
18 *already in effect.*

19                                     *OPERATIONS AND RESEARCH*  
20                                     *(LIQUIDATION OF CONTRACT AUTHORIZATION)*  
21                                     *(LIMITATION ON OBLIGATIONS)*  
22                                     *(HIGHWAY TRUST FUND)*

23             *For payment of obligations incurred in carrying out*  
24 *the provisions of 23 U.S.C. 403, to remain available until*  
25 *expended, \$72,000,000, to be derived from the Highway*  
26 *Trust Fund: Provided, That none of the funds in this Act*

1 *shall be available for the planning or execution of programs*  
2 *the total obligations for which, in fiscal year 2004, are in*  
3 *excess of \$72,000,000 for programs authorized under 23*  
4 *U.S.C. 403.*

5 *NATIONAL DRIVER REGISTER*

6 *(HIGHWAY TRUST FUND)*

7 *For expenses necessary to discharge the functions of the*  
8 *Secretary with respect to the National Driver Register*  
9 *under chapter 303 of title 49, United States Code,*  
10 *\$3,600,000, to be derived from the Highway Trust Fund,*  
11 *and to remain available until expended.*

12 *HIGHWAY TRAFFIC SAFETY GRANTS*

13 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

14 *(LIMITATION ON OBLIGATIONS)*

15 *(HIGHWAY TRUST FUND)*

16 *Notwithstanding any other provision of law, for pay-*  
17 *ment of obligations incurred in carrying out the provisions*  
18 *of 23 U.S.C. 402, 405, and 410, to remain available until*  
19 *expended, \$225,000,000, to be derived from the Highway*  
20 *Trust Fund: Provided, That none of the funds in this Act*  
21 *shall be available for the planning or execution of programs*  
22 *the total obligations for which, in fiscal year 2004, are in*  
23 *excess of \$225,000,000 for programs authorized under 23*  
24 *U.S.C. 402, 405, and 410, of which \$165,000,000 shall be*  
25 *for “Highway Safety Programs” under 23 U.S.C. 402,*  
26 *\$20,000,000 shall be for “Occupant Protection Incentive*

1 Grants” under 23 U.S.C. 405, and \$40,000,000 shall be for  
2 “Alcohol-Impaired Driving Countermeasures Grants”  
3 under 23 U.S.C. 410: Provided further, That none of these  
4 funds shall be used for construction, rehabilitation, or re-  
5 modeling costs, or for office furnishings and fixtures for  
6 State, local, or private buildings or structures: Provided  
7 further, That not to exceed \$8,150,000 of the funds made  
8 available for section 402, not to exceed \$1,000,000 of the  
9 funds made available for section 405, and not to exceed  
10 \$2,000,000 of the funds made available for section 410 shall  
11 be available to NHTSA for administering highway safety  
12 grants under chapter 4 of title 23, United States Code: Pro-  
13 vided further, That not to exceed \$500,000 of the funds  
14 made available for section 410 “Alcohol-Impaired Driving  
15 Countermeasures Grants” shall be available for technical  
16 assistance to the States.

17 GENERAL PROVISIONS—NATIONAL HIGHWAY TRAFFIC

18 SAFETY ADMINISTRATION

19 SEC. 140. Notwithstanding any other provision of law,  
20 States may use funds provided in this Act under section  
21 402 of title 23, United States Code, to produce and place  
22 highway safety public service messages in television, radio,  
23 cinema, and print media, and on the Internet in accord-  
24 ance with guidance issued by the Secretary of Transpor-  
25 tation: Provided, That any State that uses funds for such  
26 public service messages shall submit to the Secretary a re-

1 port describing and assessing the effectiveness of the mes-  
2 sages: Provided further, That \$10,000,000 of the funds allo-  
3 cated under section 157 of title 23, United States Code, shall  
4 be used as directed by the National Highway Traffic Safety  
5 Administrator to purchase national paid advertising (in-  
6 cluding production and placement) to support national  
7 safety belt mobilizations: Provided further, That, of the  
8 funds allocated under section 163 of title 23, United States  
9 Code, \$2,750,000 shall be used as directed by the Adminis-  
10 trator to support national impaired driving mobilizations  
11 and enforcement efforts, \$14,000,000 shall be used as di-  
12 rected by the Administrator to purchase national paid ad-  
13 vertising (including production and placement) to support  
14 such national impaired driving mobilizations and enforce-  
15 ment efforts, \$250,000 shall be used as directed by the Ad-  
16 ministrator to conduct an evaluation of alcohol-impaired  
17 driving messages, and \$3,000,000 shall be used as directed  
18 by the Administrator to conduct an impaired driving dem-  
19 onstration program.

20       *SEC. 141. Notwithstanding any other provision of law,*  
21 *funds appropriated or limited in the Act to educate the mo-*  
22 *toring public on how to share the road safely with commer-*  
23 *cial motor vehicles shall be administered by the National*  
24 *Highway Traffic Safety Administration.*

1 *FEDERAL RAILROAD ADMINISTRATION*2 *SAFETY AND OPERATIONS*

3 *For necessary expenses of the Federal Railroad Admin-*  
4 *istration, not otherwise provided for, \$130,825,000, of which*  
5 *\$11,712,000 shall remain available until expended.*

6 *RAILROAD RESEARCH AND DEVELOPMENT*

7 *For necessary expenses for railroad research and devel-*  
8 *opment, \$34,225,000, to remain available until expended.*

9 *RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM*

10 *The Secretary of Transportation is authorized to issue*  
11 *to the Secretary of the Treasury notes or other obligations*  
12 *pursuant to section 512 of the Railroad Revitalization and*  
13 *Regulatory Reform Act of 1976 (Public Law 94–210), as*  
14 *amended, in such amounts and at such times as may be*  
15 *necessary to pay any amounts required pursuant to the*  
16 *guarantee of the principal amount of obligations under sec-*  
17 *tions 511 through 513 of such Act, such authority to exist*  
18 *as long as any such guaranteed obligation is outstanding:*  
19 *Provided, That pursuant to section 502 of such Act, as*  
20 *amended, no new direct loans or loan guarantee commit-*  
21 *ments shall be made using Federal funds for the credit risk*  
22 *premium during fiscal year 2004: Provided further, That*  
23 *no payments of principal or interest shall be collected dur-*  
24 *ing fiscal year 2004 for the direct loan made to the National*  
25 *Railroad Passenger Corporation under section 502 of such*  
26 *Act.*

1                    *NEXT GENERATION HIGH-SPEED RAIL*

2            *For necessary expenses for the Next Generation High-*  
3 *Speed Rail program as authorized under 49 U.S.C. 26101*  
4 *and 26102, \$29,350,000, to remain available until ex-*  
5 *pended.*

6                    *ALASKA RAILROAD REHABILITATION*

7            *To enable the Secretary of Transportation to make*  
8 *grants to the Alaska Railroad, \$25,000,000 shall be for cap-*  
9 *ital rehabilitation and improvements benefiting its pas-*  
10 *senger operations, to remain available until expended.*

11                    *GRANTS TO THE NATIONAL RAILROAD PASSENGER*12    *CORPORATION*

13            *To enable the Secretary of Transportation to make*  
14 *quarterly grants to the National Railroad Passenger Cor-*  
15 *poration, \$1,346,000,000, to remain available until Sep-*  
16 *tember 30, 2004: Provided, That the Secretary of Transpor-*  
17 *tation shall approve funding to cover operating losses and*  
18 *capital expenditures for a train of the National Railroad*  
19 *Passenger Corporation only after receiving and reviewing*  
20 *a grant request for each specific train route: Provided fur-*  
21 *ther, That each such grant request shall be accompanied by*  
22 *a detailed financial analysis, revenue projection, and cap-*  
23 *ital expenditure projection justifying the Federal support*  
24 *to the Secretary's satisfaction: Provided further, That the*  
25 *Secretary of Transportation and the Amtrak Board of Di-*  
26 *rectors shall ensure that, of the amount made available*

1 *under this heading, sufficient sums are reserved to satisfy*  
2 *the contractual obligations of the National Railroad Pas-*  
3 *senger Corporation for commuter and intercity passenger*  
4 *rail service: Provided further, That within 60 days of enact-*  
5 *ment of this Act, Amtrak shall transmit to the Secretary*  
6 *of Transportation and the House and Senate Committees*  
7 *on Appropriations a business plan for operating and cap-*  
8 *ital improvements to be funded in fiscal year 2004 under*  
9 *section 24104(a) of title 49, United States Code: Provided*  
10 *further, That the business plan shall include a description*  
11 *of the work to be funded, along with cost estimates and an*  
12 *estimated timetable for completion of the projects covered*  
13 *by this business plan: Provided further, That not later than*  
14 *June 1, 2003 and each month thereafter, Amtrak shall sub-*  
15 *mit to the Secretary of Transportation and the House and*  
16 *Senate Committees on Appropriations a supplemental re-*  
17 *port regarding the business plan, which shall describe the*  
18 *work completed to date, any changes to the business plan,*  
19 *and the reasons for such changes: Provided further, That*  
20 *none of the funds in this Act may be used for operating*  
21 *expenses and capital projects not approved by the Secretary*  
22 *of Transportation nor on the National Railroad Passenger*  
23 *Corporation's fiscal year 2004 business plan: Provided fur-*  
24 *ther, That none of the funds under this heading may be*  
25 *obligated or expended until the National Railroad Pas-*



1 *senger Corporation agrees to continue abiding by the provi-*  
2 *sions of paragraphs 1, 2, 3, 5, 9, and 11 of the summary*  
3 *of conditions for the direct loan agreement of June 28, 2002,*  
4 *in the same manner as in effect on the date of enactment*  
5 *of this Act.*

6 *FEDERAL TRANSIT ADMINISTRATION*

7 *ADMINISTRATIVE EXPENSES*

8 *For necessary administrative expenses of the Federal*  
9 *Transit Administration's programs authorized by chapter*  
10 *53 of title 49, United States Code, \$14,600,000: Provided,*  
11 *That no more than \$73,000,000 of budget authority shall*  
12 *be available for these purposes: Provided further, That of*  
13 *the funds available not to exceed \$980,000 shall be available*  
14 *for the Office of the Administrator; not to exceed \$6,133,000*  
15 *shall be available for the Office of Administration; not to*  
16 *exceed \$3,750,000 shall be available for the Office of the*  
17 *Chief Counsel; not to exceed \$1,160,000 shall be available*  
18 *for the Office of Communication and Congressional Affairs;*  
19 *not to exceed \$7,250,000 shall be available for the Office*  
20 *of Program Management; not to exceed \$6,200,000 shall be*  
21 *available for the Office of Budget and Policy; not to exceed*  
22 *\$4,600,000 shall be available for the Office of Demonstra-*  
23 *tion and Innovation; not to exceed \$2,700,000 shall be*  
24 *available for the Office of Civil Rights; not to exceed*  
25 *\$3,450,000 shall be available for the Office of Planning; not*

1 to exceed \$17,777,000 shall be available for regional offices;  
2 and not to exceed \$16,800,000 shall be available for the cen-  
3 tral account: Provided further, That the Administrator is  
4 authorized to transfer funds appropriated for an office of  
5 the Federal Transit Administration: Provided further, That  
6 no appropriation for an office shall be increased or de-  
7 creased by more than 3 percent by all such transfers: Pro-  
8 vided further, That any change in funding greater than 3  
9 percent shall be submitted for approval to the House and  
10 Senate Committees on Appropriations: Provided further,  
11 That of the funds in this Act available for the execution  
12 of contracts under section 5327(c) of title 49, United States  
13 Code, \$2,000,000 shall be reimbursed to the Department of  
14 Transportation's Office of Inspector General for costs asso-  
15 ciated with audits and investigations of transit-related  
16 issues, including reviews of new fixed guideway systems:  
17 Provided further, That not to exceed \$2,200,000 for the Na-  
18 tional transit database shall remain available until ex-  
19 pended.

20 *FORMULA GRANTS*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For necessary expenses to carry out 49 U.S.C. 5307,*  
23 *5308, 5310, 5311, 5327, and section 3038 of Public Law*  
24 *105-178, \$767,800,000, to remain available until expended:*  
25 *Provided, That no more than \$3,839,000,000 of budget au-*  
26 *thority shall be available for these purposes: Provided fur-*

1 *ther, That notwithstanding section 3008 of Public Law*  
2 *105–178, \$50,000,000 of the funds to carry out 49 U.S.C.*  
3 *5308 shall be transferred to and merged with funding pro-*  
4 *vided for the replacement, rehabilitation, and purchase of*  
5 *buses and related equipment and the construction of bus-*  
6 *related facilities under “Federal Transit Administration,*  
7 *Capital investment grants”.*

8 *UNIVERSITY TRANSPORTATION RESEARCH*

9 *For necessary expenses to carry out 49 U.S.C. 5505,*  
10 *\$1,200,000, to remain available until expended: Provided,*  
11 *That no more than \$6,000,000 of budget authority shall be*  
12 *available for these purposes.*

13 *TRANSIT PLANNING AND RESEARCH*

14 *For necessary expenses to carry out 49 U.S.C. 5303,*  
15 *5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and*  
16 *5322, \$24,400,000, to remain available until expended: Pro-*  
17 *vided, That no more than \$122,000,000 of budget authority*  
18 *shall be available for these purposes: Provided further, That*  
19 *\$5,250,000 is available to provide rural transportation as-*  
20 *sistance (49 U.S.C. 5311(b)(2)), \$4,000,000 is available to*  
21 *carry out programs under the National Transit Institute*  
22 *(49 U.S.C. 5315), \$8,250,000 is available to carry out tran-*  
23 *sit cooperative research programs (49 U.S.C. 5313(a)),*  
24 *\$60,385,600 is available for metropolitan planning (49*  
25 *U.S.C. 5303, 5304, and 5305), \$12,614,400 is available for*  
26 *State planning (49 U.S.C. 5313(b)); and \$31,500,000 is*

1 *available for the national planning and research program*  
2 *(49 U.S.C. 5314).*

3 *TRUST FUND SHARE OF EXPENSES*

4 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

5 *(HIGHWAY TRUST FUND)*

6 *Notwithstanding any other provision of law, for pay-*  
7 *ment of obligations incurred in carrying out 49 U.S.C.*  
8 *5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505,*  
9 *and sections 3037 and 3038 of Public Law 105–178,*  
10 *\$5,844,000,000, to remain available until expended, and to*  
11 *be derived from the Mass Transit Account of the Highway*  
12 *Trust Fund: Provided, That \$3,071,200,000 shall be paid*  
13 *to the Federal Transit Administration’s formula grants ac-*  
14 *count: Provided further, That \$97,600,000 shall be paid to*  
15 *the Federal Transit Administration’s transit planning and*  
16 *research account: Provided further, That \$58,400,000 shall*  
17 *be paid to the Federal Transit Administration’s adminis-*  
18 *trative expenses account: Provided further, That \$4,800,000*  
19 *shall be paid to the Federal Transit Administration’s uni-*  
20 *versity transportation research account: Provided further,*  
21 *That \$100,000,000 shall be paid to the Federal Transit Ad-*  
22 *ministration’s job access and reverse commute grants pro-*  
23 *gram: Provided further, That \$2,512,000,000 shall be paid*  
24 *to the Federal Transit Administration’s capital investment*  
25 *grants account.*

1                   *CAPITAL INVESTMENT GRANTS*2                   *(INCLUDING TRANSFER OF FUNDS)*

3           *For necessary expenses to carry out 49 U.S.C. 5308,*  
4 *5309, 5318, and 5327, \$628,000,000, to remain available*  
5 *until expended: Provided, That no more than*  
6 *\$3,140,000,000 of budget authority shall be available for*  
7 *these purposes: Provided further, That there shall be avail-*  
8 *able for fixed guideway modernization, \$1,214,400,000;*  
9 *there shall be available for the replacement, rehabilitation,*  
10 *and purchase of buses and related equipment and the con-*  
11 *struction of bus-related facilities, \$607,200,000, which shall*  
12 *include \$50,000,000 made available under 5309(m)(3)(C)*  
13 *of this title, plus \$50,000,000 transferred from “Federal*  
14 *Transit Administration, Formula Grants”; and there shall*  
15 *be available for new fixed guideway systems \$1,318,400,000,*  
16 *to be available as follows:*

17                   *Alaska and Hawaii Ferry Projects, \$10,296,000;*

18                   *Baltimore—Central LRT Double Tracking,*  
19 *Maryland, \$40,000,000;*

20                   *Birmingham—Transit Corridor, Alabama,*  
21 *\$6,000,000;*

22                   *Boston—Silver Line Phase III, Massachusetts,*  
23 *\$1,000,000;*

24                   *Charlotte—South Corridor Light Rail Project,*  
25 *North Carolina, \$18,000,000;*

1           *Chicago—Douglas Branch Reconstruction, Illi-*  
2           *nois, \$85,000,000;*

3           *Chicago—North Central, Illinois, \$20,000,000;*

4           *Chicago—UP West Line Extension, Illinois,*  
5           *\$12,000,000;*

6           *Chicago—Metra Southwest Corridor Commuter*  
7           *Rail, Illinois, \$20,000,000;*

8           *Chicago—Ravenswood Line Extension, Illinois,*  
9           *\$10,000,000;*

10          *Commuter Rail Improvements, Delaware,*  
11          *\$3,000,000;*

12          *Dallas—North Central LRT Extension, Texas,*  
13          *\$30,161,283;*

14          *Denver—Southeast Corridor LRT, Colorado,*  
15          *\$80,000,000;*

16          *Dulles Corridor Rapid Transit Project, Virginia,*  
17          *\$25,000,000;*

18          *Euclid Corridor Transportation Project, Ohio,*  
19          *\$15,000,000;*

20          *Ft. Lauderdale—Tri-Rail Commuter Rail Up-*  
21          *grade, Florida, \$18,410,000;*

22          *Houston Advanced Metro Transit Plan, Texas,*  
23          *\$10,000,000;*

24          *Integrated Intermodal project, Rhode Island,*  
25          *\$6,000,000;*

- 1           *Kenosha-Racine-Milwaukee Commuter Rail Ex-*  
2           *ension, Wisconsin, \$4,000,000;*
- 3           *Las Vegas—Resort Corridor Fixed Guideway,*  
4           *Nevada, \$25,000,000;*
- 5           *Little Rock—River Rail Project, Arkansas,*  
6           *\$5,000,000;*
- 7           *Los Angeles—Eastside LRT, California,*  
8           *\$5,000,000;*
- 9           *Maine Marine Highway, \$2,000,000;*
- 10          *Memphis—Medical Center Extension, Tennessee,*  
11          *\$9,247,588;*
- 12          *Minneapolis—Hiawatha Corridor LRT, Min-*  
13          *nesota, \$74,980,000;*
- 14          *Minneapolis—Northstar Commuter Rail Project,*  
15          *Minnesota, \$10,000,000;*
- 16          *New Orleans—Canal Street Streetcar Project,*  
17          *Louisiana, \$36,020,000;*
- 18          *New York—East Side Access Project, New York,*  
19          *\$10,000,000;*
- 20          *Newark Rail Link (MOS-1), New Jersey,*  
21          *\$22,566,022;*
- 22          *Northern New Jersey-Hudson-Bergen LRT—*  
23          *MOS-2, \$100,000,000;*
- 24          *Northwest Corridor BRT, Atlanta, \$4,000,000;*

1           *Philadelphia—Schuylkill Valley Metro, Pennsyl-*  
2           *vania, \$16,000,000;*

3           *Pittsburgh—North Shore Connector LRT, Penn-*  
4           *sylvania, \$13,812,304;*

5           *Pittsburgh—Stage II LRT Reconstruction,*  
6           *Pennsylvania, \$32,243,442;*

7           *Portland—Interstate MAX LRT Extension, Or-*  
8           *egon, \$77,500,000;*

9           *Regional Commuter Rail (Weber County to Salt*  
10          *Lake City), Utah, \$12,000,000;*

11          *Salt Lake City—Medical Center, Utah,*  
12          *\$30,663,361;*

13          *San Diego—Mission Valley East LRT Exten-*  
14          *sion, California, \$65,000,000;*

15          *San Diego—Oceanside Escondido Rail Project,*  
16          *California, \$48,000,000;*

17          *San Juan—Tren Urbano Rapid Transit System,*  
18          *Puerto Rico, \$20,000,000;*

19          *Scranton—NY City Rail Service, Pennsylvania,*  
20          *\$5,000,000;*

21          *Seattle—Central Link LRT MOS-1, Wash-*  
22          *ington, \$75,000,000;*

23          *SF Area—BART Airport Extension, California,*  
24          *\$100,000,000;*



1           *Silicon Valley Rapid Transit Corridor, Cali-*  
2           *fornia, \$4,000,000;*

3           *Stamford Urban Transitway Phase II, Con-*  
4           *necticut, \$7,000,000;*

5           *Trans-Hudson Midtown Corridor, New Jersey,*  
6           *\$5,000,000;*

7           *Triangle Transit Authority Regional Rail Phase*  
8           *I Project, North Carolina, \$9,000,000;*

9           *VRE Parking Improvements, Virginia,*  
10          *\$4,000,000;*

11          *Washington, DC/Maryland—Largo Extension,*  
12          *\$65,000,000;*

13          *Wilmington Train Station Improvements, Dela-*  
14          *ware, \$2,500,000;*

15          *Wilsonville-Beaverton Commuter Rail, Oregon,*  
16          *\$6,000,000;*

17          *Yarmouth to Auburn Line, Maine, \$3,000,000.*

18           *JOB ACCESS AND REVERSE COMMUTE GRANTS*

19           *For necessary expenses to carry out section 3037 of the*  
20           *Federal Transit Act of 1998, \$25,000,000, to remain avail-*  
21           *able until expended: Provided, That no more than*  
22           *\$125,000,000 of budget authority shall be available for these*  
23           *purposes: Provided further, That up to \$300,000 of the*  
24           *funds provided under this heading may be used by the Fed-*  
25           *eral Transit Administration for technical assistance and*

1 *support and performance reviews of the Job Access and Re-*  
2 *verse Commute Grants program.*

3 *GENERAL PROVISIONS—FEDERAL TRANSIT*

4 *ADMINISTRATION*

5 *SEC. 150. The limitations on obligations for the pro-*  
6 *grams of the Federal Transit Administration shall not*  
7 *apply to any authority under 49 U.S.C. 5338, previously*  
8 *made available for obligation, or to any other authority pre-*  
9 *viously made available for obligation.*

10 *SEC. 151. Notwithstanding any other provision of law,*  
11 *and except for fixed guideway modernization projects, funds*  
12 *made available by this Act under “Federal Transit Admin-*  
13 *istration, Capital investment grants” for projects specified*  
14 *in this Act or identified in reports accompanying this Act*  
15 *not obligated by September 30, 2006, and other recoveries,*  
16 *shall be made available for other projects under 49 U.S.C.*  
17 *5309.*

18 *SEC. 152. Notwithstanding any other provision of law,*  
19 *any funds appropriated before October 1, 2003, under any*  
20 *section of chapter 53 of title 49, United States Code, that*  
21 *remain available for expenditure may be transferred to and*  
22 *administered under the most recent appropriation heading*  
23 *for any such section.*

24 *SEC. 153. Funds made available for Alaska or Hawaii*  
25 *ferry boats or ferry terminal facilities pursuant to 49*  
26 *U.S.C. 5309(m)(2)(B) may be used to construct new vessels*

1 *and facilities, or to improve existing vessels and facilities,*  
2 *including both the passenger and vehicle-related elements of*  
3 *such vessels and facilities, and for repair facilities: Pro-*  
4 *vided, That not more than \$3,000,000 of the funds made*  
5 *available pursuant to 49 U.S.C. 5309(m)(2)(B) may be*  
6 *used by the State of Hawaii to initiate and operate a pas-*  
7 *senger ferryboat services demonstration project to test the*  
8 *viability of different intra-island and inter-island ferry*  
9 *boat routes and technology: Provided further, That notwith-*  
10 *standing 49 U.S.C. 5302(a)(7), funds made available for*  
11 *Alaska or Hawaii ferry boats may be used to acquire pas-*  
12 *senger ferry boats and to provide passenger ferry transpor-*  
13 *tation services within areas of the State of Hawaii under*  
14 *the control or use of the National Park Service.*

15       *SEC. 154. Notwithstanding any other provision of law,*  
16 *funds made available to the Colorado Roaring Fork Trans-*  
17 *portation Authority under “Federal Transit Administra-*  
18 *tion, Capital investment grants” in Public Laws 106–69*  
19 *and 106–346 shall be available for expenditure on park and*  
20 *ride lots in Carbondale and Glenwood Springs, Colorado*  
21 *as part of the Roaring Fork Valley Bus Rapid Transit*  
22 *project.*

23       *SEC. 155. Notwithstanding any other provision of law,*  
24 *unobligated funds made available for a new fixed guideway*  
25 *systems projects under the heading “Federal Transit Ad-*

1 *ministration, Capital Investment Grants” in any appro-*  
2 *priations act prior to this Act may be used during this fis-*  
3 *cal year to satisfy expenses incurred for such projects.*

4       *SEC. 156. (a) IN GENERAL.—The Secretary shall es-*  
5 *tablish a pilot program to determine the benefits of encour-*  
6 *aging cooperative procurement of major capital equipment*  
7 *under sections 5307, 5309, and 5311. The program shall*  
8 *consist of three pilot projects. Cooperative procurements in*  
9 *these projects may be carried out by grantees, consortiums*  
10 *of grantees, or members of the private sector acting as*  
11 *agents of grantees.*

12       *(b) FEDERAL SHARE.—Notwithstanding any other*  
13 *provision of law, the Federal share for a grant under this*  
14 *pilot program shall be 90 percent of the net project cost.*

15       *(c) PERMISSIBLE ACTIVITIES.—*

16             *(1) DEVELOPING SPECIFICATIONS.—Cooperative*  
17 *specifications may be developed either by the grantees*  
18 *or their agents.*

19             *(2) REQUESTS FOR PROPOSALS.—To the extent*  
20 *permissible under state and local law, cooperative*  
21 *procurements under this section may be carried out,*  
22 *either by the grantees or their agents, by issuing one*  
23 *request for proposal for each cooperative procurement,*  
24 *covering all agencies that are participating in the*  
25 *procurement.*

1           (3) *BEST AND FINAL OFFERS.*—*The cost of evalu-*  
2           *ating best and final offers either by the grantees or*  
3           *their agents, is an eligible expense under this pro-*  
4           *gram.*

5           (d) *TECHNOLOGY.*—*To the extent feasible, cooperative*  
6           *procurements under this section shall maximize use of*  
7           *Internet-based software technology designed specifically for*  
8           *transit buses and other major capital equipment to develop*  
9           *specifications; aggregate equipment requirements with other*  
10          *transit agencies; generate cooperative request for proposal*  
11          *packages; create cooperative specifications; and automate*  
12          *the request for approved equals process.*

13          (e) *ELIGIBLE EXPENSES.*—*The cost of the permissible*  
14          *activities under (c) and procurement under (d) are eligible*  
15          *expenses under the pilot program.*

16          (f) *PROPORTIONATE CONTRIBUTIONS.*—*Cooperating*  
17          *agencies may contribute proportionately to the non-Federal*  
18          *share of any of the eligible expenses under (e).*

19          (g) *OUTREACH.*—*The Secretary shall conduct outreach*  
20          *on cooperative procurement. Under this program the Sec-*  
21          *retary shall: (1) offer technical assistance to transit agencies*  
22          *to facilitate the use of cooperative procurement of major*  
23          *capital equipment and (2) conduct seminars and con-*  
24          *ferences for grantees, nationwide, on the concept of coopera-*  
25          *tive procurement of major capital equipment.*

1        *(h) REPORT.—Not later than 30 days after delivery*  
2 *of the base order under each of the pilot projects, the Sec-*  
3 *retary shall submit to the House and Senate Committees*  
4 *on Appropriations a report on the results of that pilot*  
5 *project. Each report shall evaluate any savings realized*  
6 *through the cooperative procurement and the benefits of in-*  
7 *corporating cooperative procurement, as shown by that*  
8 *project, into the mass transit program as a whole.*

9        *SEC. 157. Notwithstanding any other provision of law,*  
10 *new fixed guideway system funds available for the Yosemite,*  
11 *California, area regional transportation system project, in*  
12 *the Department of Transportation and Related Agencies*  
13 *Appropriations Act, 2002, Public Law 107–87, under*  
14 *“Capital Investment Grants”, in the amount of \$400,000*  
15 *shall be available for obligation for the replacement, reha-*  
16 *bilitation, or purchase of buses or related equipment, or the*  
17 *construction of bus related facilities: Provided, That this*  
18 *amount shall be in addition to the amount available in fis-*  
19 *cal year 2002 for these purposes.*

20        *SEC. 158. Notwithstanding any other provision of law,*  
21 *for the purpose of calculating the non-New Starts share of*  
22 *the total project cost of both phases of San Francisco Muni’s*  
23 *Third Street Light Rail Transit project for fiscal year 2004,*  
24 *the Secretary of Transportation shall include all non-New*  
25 *Starts contributions made towards Phase 1 of the two-phase*

1 *project for engineering, final design and construction, and*  
2 *also shall allow non-New Starts funds expended on one ele-*  
3 *ment or phase of the project to be used to meet the non-*  
4 *New Starts share requirement of any element or phase of*  
5 *the project.*

6       *SEC. 159. Notwithstanding any other provision of law,*  
7 *funds made available under “Federal Transit Administra-*  
8 *tion, Capital Investment Grants” in Public Law 105–277*  
9 *for the Cleveland Berea Red Line Extension to the Hopkins*  
10 *International Airport project may be used for the Euclid*  
11 *Corridor Transportation Project.*

12       *SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION*

13       *SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION*

14       *The Saint Lawrence Seaway Development Corpora-*  
15 *tion is hereby authorized to make such expenditures, within*  
16 *the limits of funds and borrowing authority available to*  
17 *the Corporation, and in accord with law, and to make such*  
18 *contracts and commitments without regard to fiscal year*  
19 *limitations as provided by section 104 of the Government*  
20 *Corporation Control Act, as amended, as may be necessary*  
21 *in carrying out the programs set forth in the Corporation’s*  
22 *budget for the current fiscal year.*

23                       *OPERATIONS AND MAINTENANCE*

24                       *(HARBOR MAINTENANCE TRUST FUND)*

25       *For necessary expenses for operations and mainte-*  
26 *nance of those portions of the Saint Lawrence Seaway oper-*

1 *ated and maintained by the Saint Lawrence Seaway Devel-*  
2 *opment Corporation, \$14,400,000, to be derived from the*  
3 *Harbor Maintenance Trust Fund, pursuant to Public Law*  
4 *99-662.*

5 *MARITIME ADMINISTRATION*

6 *OPERATIONS AND TRAINING*

7 *For necessary expenses of operations and training ac-*  
8 *tivities authorized by law, \$106,000,000, of which*  
9 *\$13,000,000 shall remain available until expended for cap-*  
10 *ital improvements at the United States Merchant Marine*  
11 *Academy, and \$7,063,000 shall remain available until Sep-*  
12 *tember 30, 2005 for state maritime schoolship maintenance*  
13 *and repair.*

14 *SHIP DISPOSAL*

15 *For necessary expenses related to the disposal of obso-*  
16 *lete vessels in the National Defense Reserve Fleet of the Mar-*  
17 *itime Administration, \$18,422,000, to remain available*  
18 *until expended.*

19 *MARITIME SECURITY PROGRAM*

20 *For necessary expenses to maintain and preserve a*  
21 *U.S.-flag merchant fleet to serve the national security needs*  
22 *of the United States, \$98,700,000, to remain available until*  
23 *expended.*



1         *MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM*2                         *ACCOUNT*

3         *For administrative expenses to carry out the guaran-*  
4         *teed loan program, not to exceed \$4,498,000, which shall*  
5         *be transferred to and merged with the appropriation for*  
6         *Operations and Training.*

7         *GENERAL PROVISIONS—MARITIME ADMINISTRATION*

8         *SEC. 160. Notwithstanding any other provision of this*  
9         *Act, the Maritime Administration is authorized to furnish*  
10        *utilities and services and make necessary repairs in connec-*  
11        *tion with any lease, contract, or occupancy involving Gov-*  
12        *ernment property under control of the Maritime Adminis-*  
13        *tration, and payments received therefore shall be credited*  
14        *to the appropriation charged with the cost thereof: Provided,*  
15        *That rental payments under any such lease, contract, or*  
16        *occupancy for items other than such utilities, services, or*  
17        *repairs shall be covered into the Treasury as miscellaneous*  
18        *receipts.*

19        *SEC. 161. No obligations shall be incurred during the*  
20        *current fiscal year from the construction fund established*  
21        *by the Merchant Marine Act, 1936, or otherwise, in excess*  
22        *of the appropriations and limitations contained in this Act*  
23        *or in any prior appropriation Act.*

1     *RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION*2                     *RESEARCH AND SPECIAL PROGRAMS*

3             *For expenses necessary to discharge the functions of the*  
4 *Research and Special Programs Administration,*  
5 *\$42,516,000, of which \$645,000 shall be derived from the*  
6 *Pipeline Safety Fund, and of which \$3,473,000 shall re-*  
7 *main available until September 30, 2006: Provided, That*  
8 *up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g)*  
9 *shall be deposited in the general fund of the Treasury as*  
10 *offsetting receipts: Provided further, That there may be*  
11 *credited to this appropriation, to be available until ex-*  
12 *pended, funds received from States, counties, municipali-*  
13 *ties, other public authorities, and private sources for ex-*  
14 *penses incurred for training, for reports publication and*  
15 *dissemination, and for travel expenses incurred in perform-*  
16 *ance of hazardous materials exemptions and approvals*  
17 *functions.*

18                     *PIPELINE SAFETY*19                     *(PIPELINE SAFETY FUND)*20                     *(OIL SPILL LIABILITY TRUST FUND)*

21             *For expenses necessary to conduct the functions of the*  
22 *pipeline safety program, for grants-in-aid to carry out a*  
23 *pipeline safety program, as authorized by 49 U.S.C. 60107,*  
24 *and to discharge the pipeline program responsibilities of*  
25 *the Oil Pollution Act of 1990, \$67,612,000, of which*  
26 *\$17,183,000 shall be derived from the Oil Spill Liability*

1 *Trust Fund and shall remain available until September 30,*  
2 *2006; of which \$50,429,000 shall be derived from the Pipe-*  
3 *line Safety Fund, of which \$22,710,000 shall remain avail-*  
4 *able until September 30, 2006.*

5 *EMERGENCY PREPAREDNESS GRANTS*

6 *(EMERGENCY PREPAREDNESS FUND)*

7 *For necessary expenses to carry out 49 U.S.C. 5127(c),*  
8 *\$200,000, to be derived from the Emergency Preparedness*  
9 *Fund, to remain available until September 30, 2006: Pro-*  
10 *vided, That not more than \$14,300,000 shall be made avail-*  
11 *able for obligation in fiscal year 2004 from amounts made*  
12 *available by 49 U.S.C. 5116(i) and 5127(d): Provided fur-*  
13 *ther, That none of the funds made available by 49 U.S.C.*  
14 *5116(i) and 5127(d) shall be made available for obligation*  
15 *by individuals other than the Secretary of Transportation,*  
16 *or his designee.*

17 *OFFICE OF INSPECTOR GENERAL*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Office of Inspector Gen-*  
20 *eral to carry out the provisions of the Inspector General*  
21 *Act of 1978, as amended, \$56,000,000: Provided, That the*  
22 *Inspector General shall have all necessary authority, in car-*  
23 *rying out the duties specified in the Inspector General Act,*  
24 *as amended (5 U.S.C. App. 3) to investigate allegations of*  
25 *fraud, including false statements to the government (18*  
26 *U.S.C. 1001), by any person or entity that is subject to*

1 *regulation by the Department: Provided further, That the*  
2 *funds made available under this heading shall be used to*  
3 *investigate, pursuant to section 41712 of title 49, United*  
4 *States Code: (1) unfair or deceptive practices and unfair*  
5 *methods of competition by domestic and foreign air carriers*  
6 *and ticket agents; and (2) the compliance of domestic and*  
7 *foreign air carriers with respect to item (1) of this proviso.*

8 *SURFACE TRANSPORTATION BOARD*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Surface Transportation*  
11 *Board, including services authorized by 5 U.S.C. 3109,*  
12 *\$19,521,000: Provided, That notwithstanding any other*  
13 *provision of law, not to exceed \$1,050,000 from fees estab-*  
14 *lished by the Chairman of the Surface Transportation*  
15 *Board shall be credited to this appropriation as offsetting*  
16 *collections and used for necessary and authorized expenses*  
17 *under this heading: Provided further, That the sum herein*  
18 *appropriated from the general fund shall be reduced on a*  
19 *dollar-for-dollar basis as such offsetting collections are re-*  
20 *ceived during fiscal year 2004, to result in a final appro-*  
21 *priation from the general fund estimated at no more than*  
22 *\$18,471,000.*

1     *TITLE II—DEPARTMENT OF THE TREASURY*2                     *DEPARTMENTAL OFFICES*3                     *SALARIES AND EXPENSES*4                     *(INCLUDING TRANSFER OF FUNDS)*

5             *For necessary expenses of the Departmental Offices in-*  
6 *cluding operation and maintenance of the Treasury Build-*  
7 *ing and Annex; hire of passenger motor vehicles; mainte-*  
8 *nance, repairs, and improvements of, and purchase of com-*  
9 *mercial insurance policies for, real properties leased or*  
10 *owned overseas, when necessary for the performance of offi-*  
11 *cial business; not to exceed \$3,000,000, to remain available*  
12 *until September 30, 2005 for information technology mod-*  
13 *ernization requirements; not to exceed \$150,000 for official*  
14 *reception and representation expenses; not to exceed*  
15 *\$258,000 for unforeseen emergencies of a confidential na-*  
16 *ture, to be allocated and expended under the direction of*  
17 *the Secretary of the Treasury and to be accounted for solely*  
18 *on his certificate, \$174,809,000: Provided, That the Office*  
19 *of Foreign Assets Control shall be funded at no less than*  
20 *\$21,855,000 and 120 full time equivalent positions: Pro-*  
21 *vided further, That of these amounts, \$2,900,000 is avail-*  
22 *able for grants to State and local law enforcement groups*  
23 *to help fight money laundering: Provided further, That of*  
24 *these amounts, \$3,393,000, to remain available until Sep-*  
25 *tember 30, 2005, shall be for the Treasury-wide Financial*  
26 *Statement Audit Program, of which such amounts as may*

1 *be necessary may be transferred to accounts of the Depart-*  
2 *ment's offices and bureaus to conduct audits: Provided fur-*  
3 *ther, That this transfer authority shall be in addition to*  
4 *any other provided in this Act.*

5 *DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS*

6 *PROGRAMS*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For development and acquisition of automatic data*  
9 *processing equipment, software, and services for the Depart-*  
10 *ment of the Treasury, \$36,928,000, to remain available*  
11 *until September 30, 2006: Provided, That these funds shall*  
12 *be transferred to accounts and in amounts as necessary to*  
13 *satisfy the requirements of the Department's offices, bu-*  
14 *reaus, and other organizations: Provided further, That this*  
15 *transfer authority shall be in addition to any other transfer*  
16 *authority provided in this Act: Provided further, That none*  
17 *of the funds appropriated shall be used to support or supple-*  
18 *ment the Internal Revenue Service appropriations for In-*  
19 *formation Systems or Business Systems Modernization.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Office of Inspector Gen-*  
23 *eral in carrying out the provisions of the Inspector General*  
24 *Act of 1978, as amended, not to exceed \$2,000,000 for offi-*  
25 *cial travel expenses, including hire of passenger motor vehi-*  
26 *cles; and not to exceed \$100,000 for unforeseen emergencies*

1 *of a confidential nature, to be allocated and expended under*  
2 *the direction of the Inspector General of the Treasury,*  
3 *\$12,687,000, of which not to exceed \$2,500 shall be available*  
4 *for official reception and representation expenses.*

5 *TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION*  
6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Treasury Inspector Gen-*  
8 *eral for Tax Administration in carrying out the Inspector*  
9 *General Act of 1978, as amended, including purchase (not*  
10 *to exceed 150 for replacement only for police-type use) and*  
11 *hire of passenger motor vehicles (31 U.S.C. 1343(b)); serv-*  
12 *ices authorized by 5 U.S.C. 3109, at such rates as may be*  
13 *determined by the Inspector General for Tax Administra-*  
14 *tion; not to exceed \$6,000,000 for official travel expenses;*  
15 *and not to exceed \$500,000 for unforeseen emergencies of*  
16 *a confidential nature, to be allocated and expended under*  
17 *the direction of the Inspector General for Tax Administra-*  
18 *tion, \$128,034,000.*

19 *AIR TRANSPORTATION STABILIZATION PROGRAM*

20 *For necessary expenses to administer the Air Trans-*  
21 *portation Stabilization Board established by section 102 of*  
22 *the Air Transportation Safety and System Stabilization*  
23 *Act (Public Law 107-42), \$2,538,000, to remain available*  
24 *until expended.*

1           *TREASURY BUILDING AND ANNEX REPAIR AND*  
2                                   *RESTORATION*

3           *For the repair, alteration, and improvement of the*  
4 *Treasury Building and Annex, \$25,000,000, to remain*  
5 *available until September 30, 2006.*

6           *FINANCIAL CRIMES ENFORCEMENT NETWORK*  
7                                   *SALARIES AND EXPENSES*

8           *For necessary expenses of the Financial Crimes En-*  
9 *forcement Network, including hire of passenger motor vehi-*  
10 *cles; travel expenses of non-Federal law enforcement per-*  
11 *sonnel to attend meetings concerned with financial intel-*  
12 *ligence activities, law enforcement, and financial regula-*  
13 *tion; not to exceed \$14,000 for official reception and rep-*  
14 *resentation expenses; and for assistance to Federal law en-*  
15 *forcement agencies, with or without reimbursement,*  
16 *\$57,571,000, of which not to exceed \$4,500,000 shall remain*  
17 *available until September 30, 2006; and of which*  
18 *\$8,152,000 shall remain available until September 30,*  
19 *2005: Provided, That funds appropriated in this account*  
20 *may be used to procure personal services contracts.*

21           *FINANCIAL MANAGEMENT SERVICE*  
22                                   *SALARIES AND EXPENSES*

23           *For necessary expenses of the Financial Management*  
24 *Service, \$228,558,000, of which not to exceed \$9,220,000*  
25 *shall remain available until September 30, 2006, for infor-*



1 *mation systems modernization initiatives; and of which not*  
2 *to exceed \$2,500 shall be available for official reception and*  
3 *representation expenses.*

4 *ALCOHOL AND TOBACCO TAX AND TRADE BUREAU*  
5 *SALARIES AND EXPENSES*

6 *For necessary expenses of carrying out section 1111*  
7 *of the Homeland Security Act of 2002, including hire of*  
8 *passenger motor vehicles, \$80,000,000; of which not to ex-*  
9 *ceed \$6,000 for official reception and representation ex-*  
10 *penses; not to exceed \$50,000 for cooperative research and*  
11 *development programs for Laboratory Services; and provi-*  
12 *sion of laboratory assistance to State and local agencies*  
13 *with or without reimbursement.*

14 *UNITED STATES MINT*

15 *UNITED STATES MINT PUBLIC ENTERPRISE FUND*

16 *Pursuant to section 5136 of title 31, United States*  
17 *Code, the United States Mint is provided funding through*  
18 *the United States Mint Public Enterprise Fund for costs*  
19 *associated with the production of circulating coins, numis-*  
20 *matic coins, and protective services, including both oper-*  
21 *ating expenses and capital investments. The aggregate*  
22 *amount of new liabilities and obligations incurred during*  
23 *fiscal year 2004 under such section 5136 for circulating*  
24 *coinage and protective service capital investments of the*  
25 *United States Mint shall not exceed \$40,652,000.*

1                    *BUREAU OF THE PUBLIC DEBT*2                    *ADMINISTERING THE PUBLIC DEBT*

3            *For necessary expenses connected with any public-debt*  
4 *issues of the United States, \$178,052,000, of which not to*  
5 *exceed \$2,500 shall be available for official reception and*  
6 *representation expenses, and of which not to exceed*  
7 *\$2,000,000 shall remain available until expended for sys-*  
8 *tems modernization: Provided, That the sum appropriated*  
9 *herein from the General Fund for fiscal year 2004 shall be*  
10 *reduced by not more than \$4,400,000 as definitive security*  
11 *issue fees and Treasury Direct Investor Account Mainte-*  
12 *nance fees are collected, so as to result in a final fiscal year*  
13 *2004 appropriation from the general fund estimated at*  
14 *\$173,652,000. In addition, \$40,000 to be derived from the*  
15 *Oil Spill Liability Trust Fund to reimburse the Bureau*  
16 *for administrative and personnel expenses for financial*  
17 *management of the Fund, as authorized by section 1012 of*  
18 *Public Law 101-380.*

19                    *INTERNAL REVENUE SERVICE*20                    *PROCESSING, ASSISTANCE, AND MANAGEMENT*

21            *For necessary expenses of the Internal Revenue Service*  
22 *for pre-filing taxpayer assistance and education, filing and*  
23 *account services, shared services support, general manage-*  
24 *ment and administration; and services as authorized by 5*  
25 *U.S.C. 3109, at such rates as may be determined by the*

1 *Commissioner, \$4,048,238,000, of which up to \$3,950,000*  
2 *shall be for the Tax Counseling for the Elderly Program,*  
3 *of which \$7,000,000 shall be available for low-income tax-*  
4 *payer clinic grants, and of which not to exceed \$25,000*  
5 *shall be for official reception and representation expenses.*

6 *TAX LAW ENFORCEMENT*

7 *For necessary expenses of the Internal Revenue Service*  
8 *for determining and establishing tax liabilities; providing*  
9 *litigation support; conducting criminal investigation and*  
10 *enforcement activities; securing unfiled tax returns; col-*  
11 *lecting unpaid accounts; conducting a document matching*  
12 *program; resolving taxpayer problems through prompt*  
13 *identification, referral and settlement; resolving essential*  
14 *earned income tax credit compliance and error problems;*  
15 *compiling statistics of income and conducting compliance*  
16 *research; purchase (for police-type use, not to exceed 850)*  
17 *and hire of passenger motor vehicles (31 U.S.C. 1343(b));*  
18 *and services as authorized by U.S.C. 3109, at such rates*  
19 *as may be determined by the Commissioner,*  
20 *\$4,172,808,000, of which not to exceed \$1,000,000 shall re-*  
21 *main available until September 30, 2006, for research: Pro-*  
22 *vided, That such sums may be transferred as necessary from*  
23 *this account to the IRS Processing, Assistance, and Man-*  
24 *agement appropriation or the IRS Information Systems*  
25 *appropriation solely for the purposes of management of the*  
26 *Earned Income Tax Compliance program and to reimburse*

1 *the Social Security Administration for the cost of imple-*  
2 *menting section 1090 of the Taxpayer Relief Act of 1997*  
3 *(Public Law 105–33): Provided further, That this transfer*  
4 *authority shall be in addition to any other transfer author-*  
5 *ity provided in this Act.*

6 *INFORMATION SYSTEMS*

7 *For necessary expenses of the Internal Revenue Service*  
8 *for information systems and telecommunications support,*  
9 *including developmental information systems and oper-*  
10 *ational information systems; the hire of passenger motor ve-*  
11 *hicles (31 U.S.C. 1343(b)); and services as authorized by*  
12 *5 U.S.C. 3109, at such rates as may be determined by the*  
13 *Commissioner, \$1,590,962,000, of which \$200,000,000 shall*  
14 *remain available until September 30, 2005.*

15 *BUSINESS SYSTEMS MODERNIZATION*

16 *For necessary expenses of the Internal Revenue Serv-*  
17 *ice, \$429,000,000, to remain available until September 30,*  
18 *2006, for the capital asset acquisition of information tech-*  
19 *nology systems, including management and related contrac-*  
20 *tual costs of said acquisitions, including contractual costs*  
21 *associated with operations authorized by 5 U.S.C. 3109:*  
22 *Provided, That none of these funds may be obligated until*  
23 *the Internal Revenue Service submits to the Committees on*  
24 *Appropriations, and such Committees approve, a plan for*  
25 *expenditure that: (1) meets the capital planning and invest-*  
26 *ment control review requirements established by the Office*

1 *of Management and Budget, including Circular A–11 part*  
2 *3; (2) complies with the Internal Revenue Service’s enter-*  
3 *prise architecture, including the modernization blueprint;*  
4 *(3) conforms with the Internal Revenue Service’s enterprise*  
5 *life cycle methodology; (4) is approved by the Internal Rev-*  
6 *enue Service, the Department of the Treasury, and the Of-*  
7 *fice of Management and Budget; (5) has been reviewed by*  
8 *the General Accounting Office; and (6) complies with the*  
9 *acquisition rules, requirements, guidelines, and systems ac-*  
10 *quisition management practices of the Federal Government.*

11 *HEALTH INSURANCE TAX CREDIT ADMINISTRATION*

12 *For expenses necessary to implement the health insur-*  
13 *ance tax credit included in the Trade Act of 2002 (Public*  
14 *Law 107–210), \$35,000,000, to remain available until Sep-*  
15 *tember 30, 2005.*

16 *GENERAL PROVISIONS—INTERNAL REVENUE SERVICE*

17 *SEC. 201. Not to exceed 5 percent of any appropriation*  
18 *made available in this Act to the Internal Revenue Service*  
19 *may be transferred to any other Internal Revenue Service*  
20 *appropriation upon the advance approval of the Commit-*  
21 *tees on Appropriations.*

22 *SEC. 202. The Internal Revenue Service shall main-*  
23 *tain a training program to ensure that Internal Revenue*  
24 *Service employees are trained in taxpayers’ rights, in deal-*  
25 *ing courteously with the taxpayers, and in cross-cultural*  
26 *relations.*

1       *SEC. 203. The Internal Revenue Service shall institute*  
2 *and enforce policies and procedures that will safeguard the*  
3 *confidentiality of taxpayer information.*

4       *SEC. 204. Funds made available by this or any other*  
5 *Act to the Internal Revenue Service shall be available for*  
6 *improved facilities and increased manpower to provide suf-*  
7 *ficient and effective 1-800 help line service for taxpayers.*  
8 *The Commissioner shall continue to make the improvement*  
9 *of the Internal Revenue Service 1-800 help line service a*  
10 *priority and allocate resources necessary to increase phone*  
11 *lines and staff to improve the Internal Revenue Service 1-*  
12 *800 help line service.*

13       *SEC. 205. None of the funds made available in this*  
14 *Act may be used by the Secretary of the Treasury or his*  
15 *delegate to issue any rule or regulation which implements*  
16 *the proposed amendments to Internal Revenue Service regu-*  
17 *lations set forth in REG-209500-86 and REG-164464-02,*  
18 *filed December 10, 2002, or any amendments reaching re-*  
19 *sults similar to such proposed amendments.*

20       *SEC. 206. STUDY ON EARNED INCOME TAX CREDIT*  
21 *CERTIFICATION PROGRAM. (A) STUDY.—The Internal Rev-*  
22 *enue Service shall conduct a study, as a part of any pro-*  
23 *gram that requires certification (including pre-certifi-*  
24 *cation) in order to claim the earned income tax credit under*

1 *section 32 of the Internal Revenue Code of 1986, on the fol-*  
2 *lowing matters:*

3           (1) *The costs (in time and money) incurred by*  
4 *the participants in the program.*

5           (2) *The administrative costs incurred by the In-*  
6 *ternal Revenue Service in operating the program.*

7           (3) *The percentage of individuals included in the*  
8 *program who were not certified for the credit, includ-*  
9 *ing the percentage of individuals who were not cer-*  
10 *tified due to—*

11                   (A) *ineligibility for the credit; and*

12                   (B) *failure to complete the requirements for*  
13 *certification.*

14           (4) *The percentage of individuals to whom para-*  
15 *graph (3)(B) applies who were—*

16                   (A) *otherwise eligible for the credit; and*

17                   (B) *otherwise ineligible for the credit.*

18           (5) *The percentage of individuals to whom para-*  
19 *graph (3)(B) applies who—*

20                   (A) *did not respond to the request for cer-*  
21 *tification; and*

22                   (B) *responded to such request but otherwise*  
23 *failed to complete the requirements for certifi-*  
24 *cation.*

25           (6) *The reasons—*

1           (A) for which individuals described in  
2 paragraph (5)(A) did not respond to requests for  
3 certification; and

4           (B) for which individuals described in  
5 paragraph (5)(B) had difficulty in completing  
6 the requirements for certification.

7           (7) The characteristics of those individuals who  
8 were denied the credit due to—

9           (A) failure to complete the requirements for  
10 certification; and

11           (B) ineligibility for the credit.

12           (8) The impact of the program on non-English  
13 speaking participants.

14           (9) The impact of the program on homeless and  
15 other highly transient individuals.

16           (b) REPORT.—

17           (1) PRELIMINARY REPORT.—Not later than July  
18 30, 2004, the Commissioner of the Internal Revenue  
19 Service shall submit to Congress a preliminary report  
20 on the study conducted under subsection (a).

21           (2) FINAL REPORT.—Not later than June 30,  
22 2005, the Commissioner of the Internal Revenue Serv-  
23 ice shall submit to Congress a final report detailing  
24 the findings of the study conducted under subsection  
25 (a).



1 *GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY*

2       *SEC. 210. Appropriations to the Department of the*  
3 *Treasury in this Act shall be available for uniforms or al-*  
4 *lowances therefor, as authorized by law (5 U.S.C. 5901),*  
5 *including maintenance, repairs, and cleaning; purchase of*  
6 *insurance for official motor vehicles operated in foreign*  
7 *countries; purchase of motor vehicles without regard to the*  
8 *general purchase price limitations for vehicles purchased*  
9 *and used overseas for the current fiscal year; entering into*  
10 *contracts with the Department of State for the furnishing*  
11 *of health and medical services to employees and their de-*  
12 *pendents serving in foreign countries; and services author-*  
13 *ized by 5 U.S.C. 3109.*

14       *SEC. 211. Not to exceed 2 percent of any appropria-*  
15 *tions in this Act made available to the Departmental Of-*  
16 *fices—Salaries and Expenses, Office of Inspector General,*  
17 *Financial Management Service, Alcohol and Tobacco Tax*  
18 *and Trade Bureau, Financial Crime Enforcement Network,*  
19 *and Bureau of the Public Debt, may be transferred between*  
20 *such appropriations upon the advance approval of the Com-*  
21 *mittees on Appropriations. No transfer may increase or de-*  
22 *crease any such appropriation by more than 2 percent.*

23       *SEC. 212. Not to exceed 2 percent of any appropriation*  
24 *made available in this Act to the Internal Revenue Service*  
25 *may be transferred to the Treasury Inspector General for*

1 *Tax Administration's appropriation upon the advance ap-*  
2 *proval of the Committees on Appropriations. No transfer*  
3 *may increase or decrease any such appropriation by more*  
4 *than 2 percent.*

5       *SEC. 213. Of the funds available for the purchase of*  
6 *law enforcement vehicles, no funds may be obligated until*  
7 *the Secretary of the Treasury certifies that the purchase by*  
8 *the respective Treasury bureau is consistent with Depart-*  
9 *mental vehicle management principles: Provided, That the*  
10 *Secretary may delegate this authority to the Assistant Sec-*  
11 *retary for Management.*

12       *SEC. 214. None of the funds appropriated in this Act*  
13 *or otherwise available to the Department of the Treasury*  
14 *or the Bureau of Engraving and Printing may be used to*  
15 *redesign the \$1 Federal Reserve note.*

16       *SEC. 215. The Secretary of the Treasury may transfer*  
17 *funds from "Salaries and Expenses", Financial Manage-*  
18 *ment Service, to the Debt Services Account as necessary to*  
19 *cover the costs of debt collection: Provided, That such*  
20 *amounts shall be reimbursed to such Salaries and Expenses*  
21 *account from debt collections received in the Debt Services*  
22 *Account.*

23       *SEC. 216. Section 122(g)(1) of Public Law 105-119*  
24 *(5 U.S.C. 3104 note), is further amended by striking "5*  
25 *years" and inserting "6 years".*

1       *SEC. 217. None of the funds appropriated or otherwise*  
2 *made available by this or any other Act may be used by*  
3 *the United States Mint to construct or operate any museum*  
4 *without the explicit approval of the House Committee on*  
5 *Financial Services and the Senate Committee on Banking,*  
6 *Housing, and Urban Affairs.*

7       *SEC. 218. Beginning in fiscal year 2004 and there-*  
8 *after, there are appropriated to the Secretary of the Treas-*  
9 *ury such sums as may be necessary to reimburse financial*  
10 *institutions in their capacity as depositaries and financial*  
11 *agents of the United States for all services required or di-*  
12 *rected by the Secretary of the Treasury, or his designee, to*  
13 *be performed by such financial institutions on behalf of the*  
14 *Treasury or other Federal agencies, including services ren-*  
15 *dered prior to fiscal year 2004.*

16 *TITLE III—EXECUTIVE OFFICE OF THE PRESI-*  
17 *DENT AND FUNDS APPROPRIATED TO THE*  
18 *PRESIDENT*

19 *COMPENSATION OF THE PRESIDENT AND THE WHITE*  
20 *HOUSE OFFICE*

21 *COMPENSATION OF THE PRESIDENT*

22 *For compensation of the President, including an ex-*  
23 *pense allowance at the rate of \$50,000 per annum as au-*  
24 *thorized by 3 U.S.C. 102, \$450,000: Provided, That none*  
25 *of the funds made available for official expenses shall be*

1 *expended for any other purpose and any unused amount*  
2 *shall revert to the Treasury pursuant to section 1552 of title*  
3 *31, United States Code: Provided further, That none of the*  
4 *funds made available for official expenses shall be consid-*  
5 *ered as taxable to the President.*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses for the White House as author-*  
8 *ized by law, including not to exceed \$3,850,000 for services*  
9 *as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsist-*  
10 *ence expenses as authorized by 3 U.S.C. 105, which shall*  
11 *be expended and accounted for as provided in that section;*  
12 *hire of passenger motor vehicles, newspapers, periodicals,*  
13 *teletype news service, and travel (not to exceed \$100,000*  
14 *to be expended and accounted for as provided by 3 U.S.C.*  
15 *103); and not to exceed \$19,000 for official entertainment*  
16 *expenses, to be available for allocation within the Executive*  
17 *Office of the President, \$61,937,000: Provided, That*  
18 *\$8,650,000 of the funds appropriated shall be available for*  
19 *reimbursements to the White House Communications Agen-*  
20 *cy.*

21 *EXECUTIVE RESIDENCE AT THE WHITE HOUSE*

22 *OPERATING EXPENSES*

23 *For the care, maintenance, repair and alteration, re-*  
24 *furnishing, improvement, heating, and lighting, including*  
25 *electric power and fixtures, of the Executive Residence at*  
26 *the White House and official entertainment expenses of the*

1 *President, \$12,501,000, to be expended and accounted for*  
2 *as provided by 3 U.S.C. 105, 109, 110, and 112–114.*

3 *REIMBURSABLE EXPENSES*

4 *For the reimbursable expenses of the Executive Resi-*  
5 *dence at the White House, such sums as may be necessary:*  
6 *Provided, That all reimbursable operating expenses of the*  
7 *Executive Residence shall be made in accordance with the*  
8 *provisions of this paragraph: Provided further, That, not-*  
9 *withstanding any other provision of law, such amount for*  
10 *reimbursable operating expenses shall be the exclusive au-*  
11 *thority of the Executive Residence to incur obligations and*  
12 *to receive offsetting collections, for such expenses: Provided*  
13 *further, That the Executive Residence shall require each*  
14 *person sponsoring a reimbursable political event to pay in*  
15 *advance an amount equal to the estimated cost of the event,*  
16 *and all such advance payments shall be credited to this ac-*  
17 *count and remain available until expended: Provided fur-*  
18 *ther, That the Executive Residence shall require the na-*  
19 *tional committee of the political party of the President to*  
20 *maintain on deposit \$25,000, to be separately accounted for*  
21 *and available for expenses relating to reimbursable political*  
22 *events sponsored by such committee during such fiscal year:*  
23 *Provided further, That the Executive Residence shall ensure*  
24 *that a written notice of any amount owed for a reimburs-*  
25 *able operating expense under this paragraph is submitted*  
26 *to the person owing such amount within 60 days after such*

1 *expense is incurred, and that such amount is collected with-*  
2 *in 30 days after the submission of such notice: Provided*  
3 *further, That the Executive Residence shall charge interest*  
4 *and assess penalties and other charges on any such amount*  
5 *that is not reimbursed within such 30 days, in accordance*  
6 *with the interest and penalty provisions applicable to an*  
7 *outstanding debt on a United States Government claim*  
8 *under section 3717 of title 31, United States Code: Provided*  
9 *further, That each such amount that is reimbursed, and any*  
10 *accompanying interest and charges, shall be deposited in*  
11 *the Treasury as miscellaneous receipts: Provided further,*  
12 *That the Executive Residence shall prepare and submit to*  
13 *the Committees on Appropriations, by not later than 90*  
14 *days after the end of the fiscal year covered by this Act,*  
15 *a report setting forth the reimbursable operating expenses*  
16 *of the Executive Residence during the preceding fiscal year,*  
17 *including the total amount of such expenses, the amount*  
18 *of such total that consists of reimbursable official and cere-*  
19 *monial events, the amount of such total that consists of re-*  
20 *imbursable political events, and the portion of each such*  
21 *amount that has been reimbursed as of the date of the re-*  
22 *port: Provided further, That the Executive Residence shall*  
23 *maintain a system for the tracking of expenses related to*  
24 *reimbursable events within the Executive Residence that in-*  
25 *cludes a standard for the classification of any such expense*

1 *as political or nonpolitical: Provided further, That no pro-*  
2 *vision of this paragraph may be construed to exempt the*  
3 *Executive Residence from any other applicable requirement*  
4 *of subchapter I or II of chapter 37 of title 31, United States*  
5 *Code.*

6 *WHITE HOUSE REPAIR AND RESTORATION*

7 *For the repair, alteration, and improvement of the Ex-*  
8 *ecutive Residence at the White House, \$4,225,000, to re-*  
9 *main available until expended, for required maintenance,*  
10 *safety and health issues, and continued preventative main-*  
11 *tenance.*

12 *SPECIAL ASSISTANCE TO THE PRESIDENT AND THE*

13 *OFFICIAL RESIDENCE OF THE VICE PRESIDENT*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses to enable the Vice President to*  
16 *provide assistance to the President in connection with spe-*  
17 *cially assigned functions; services as authorized by 5 U.S.C.*  
18 *3109 and 3 U.S.C. 106, including subsistence expenses as*  
19 *authorized by 3 U.S.C. 106, which shall be expended and*  
20 *accounted for as provided in that section; and hire of pas-*  
21 *senger motor vehicles, \$4,461,000.*

22 *OPERATING EXPENSES*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For the care, operation, refurnishing, improvement,*  
25 *and to the extent not otherwise provided for, heating and*  
26 *lighting, including electric power and fixtures, of the offi-*

1 *cial residence of the Vice President; the hire of passenger*  
2 *motor vehicles; and not to exceed \$90,000 for official enter-*  
3 *tainment expenses of the Vice President, to be accounted for*  
4 *solely on his certificate, \$331,000: Provided, That advances*  
5 *or repayments or transfers from this appropriation may*  
6 *be made to any department or agency for expenses of car-*  
7 *rying out such activities.*

8 *COUNCIL OF ECONOMIC ADVISERS*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Council of Economic Ad-*  
11 *visors in carrying out its functions under the Employment*  
12 *Act of 1946 (15 U.S.C. 1021), \$4,502,000.*

13 *OFFICE OF POLICY DEVELOPMENT*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Office of Policy Develop-*  
16 *ment, including services as authorized by 5 U.S.C. 3109*  
17 *and 3 U.S.C. 107, \$4,109,000.*

18 *NATIONAL SECURITY COUNCIL*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the National Security Coun-*  
21 *cil, including services as authorized by 5 U.S.C. 3109,*  
22 *\$10,551,000.*



1 *HOMELAND SECURITY COUNCIL*

2 *For necessary expenses of the Homeland Security*  
3 *Council, including services authorized by 5 U.S.C. 3109,*  
4 *\$8,331,000.*

5 *OFFICE OF ADMINISTRATION*6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Office of Administration,*  
8 *including services as authorized by 5 U.S.C. 3109 and 3*  
9 *U.S.C. 107, and hire of passenger motor vehicles,*  
10 *\$77,164,000, of which \$20,578,000 shall remain available*  
11 *until expended for the Capital Investment Plan for contin-*  
12 *ued modernization of the information technology infrastruc-*  
13 *ture within the Executive Office of the President: Provided,*  
14 *That the Executive Office of the President shall submit a*  
15 *report to the Committees on Appropriations that includes*  
16 *a current description of: (1) the Enterprise Architecture,*  
17 *as defined in OMB Circular A-130 and the Federal Chief*  
18 *Information Officers Council guidance; (2) the Information*  
19 *Technology (IT) Human Capital Plan; (3) the capital in-*  
20 *vestment plan for implementing the Enterprise Architec-*  
21 *ture; and (4) the IT capital planning and investment con-*  
22 *trol process: Provided further, That this report shall be re-*  
23 *viewed and approved by the Office of Management and*  
24 *Budget, and reviewed by the General Accounting Office.*

1            *OFFICE OF MANAGEMENT AND BUDGET*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses of the Office of Management*  
4 *and Budget, including hire of passenger motor vehicles and*  
5 *services as authorized by 5 U.S.C. 3109, \$75,417,000, of*  
6 *which not to exceed \$3,000 shall be available for official*  
7 *representation expenses: Provided, That, as provided in 31*  
8 *U.S.C. 1301(a), appropriations shall be applied only to the*  
9 *objects for which appropriations were made except as other-*  
10 *wise provided by law: Provided further, That none of the*  
11 *funds appropriated in this Act for the Office of Management*  
12 *and Budget may be used for the purpose of reviewing any*  
13 *agricultural marketing orders or any activities or regula-*  
14 *tions under the provisions of the Agricultural Marketing*  
15 *Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided fur-*  
16 *ther, That none of the funds made available for the Office*  
17 *of Management and Budget by this Act may be expended*  
18 *for the altering of the transcript of actual testimony of wit-*  
19 *nesses, except for testimony of officials of the Office of Man-*  
20 *agement and Budget, before the Committees on Appropria-*  
21 *tions or the Committees on Veterans' Affairs or their sub-*  
22 *committees: Provided further, That the preceding shall not*  
23 *apply to printed hearings released by the Committees on*  
24 *Appropriations or the Committees on Veterans' Affairs:*  
25 *Provided further, That none of the funds appropriated in*

1 *this Act may be available to pay the salary or expenses of*  
2 *any employee of the Office of Management and Budget who*  
3 *calculates, prepares, or approves any tabular or other mate-*  
4 *rial that proposes the sub-allocation of budget authority or*  
5 *outlays by the Committees on Appropriations among their*  
6 *subcommittees.*

7 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

8 *SALARIES AND EXPENSES*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For necessary expenses of the Office of National Drug*  
11 *Control Policy; for research activities pursuant to the Office*  
12 *of National Drug Control Policy Reauthorization Act of*  
13 *1998 (21 U.S.C. 1701 et seq.); not to exceed \$10,000 for*  
14 *official reception and representation expenses; and for par-*  
15 *ticipation in joint projects or in the provision of services*  
16 *on matters of mutual interest with nonprofit, research, or*  
17 *public organizations or agencies, with or without reim-*  
18 *bursement, \$27,996,500; of which \$1,350,000 shall remain*  
19 *available until expended for policy research and evaluation;*  
20 *and \$1,500,000 for the National Alliance for Model State*  
21 *Drug Laws: Provided, That the Office is authorized to ac-*  
22 *cept, hold, administer, and utilize gifts, both real and per-*  
23 *sonal, public and private, without fiscal year limitation,*  
24 *for the purpose of aiding or facilitating the work of the Of-*  
25 *fice.*

1            *COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER*  
2                            *(INCLUDING TRANSFER OF FUNDS)*

3            *For necessary expenses for the Counterdrug Technology*  
4 *Assessment Center for research activities pursuant to the*  
5 *Office of National Drug Control Policy Reauthorization Act*  
6 *of 1998 (21 U.S.C. 1701 et seq.), \$42,000,000, which shall*  
7 *remain available until expended, consisting of \$18,000,000*  
8 *for counternarcotics research and development projects, and*  
9 *\$24,000,000 for the continued operation of the technology*  
10 *transfer program: Provided, That the \$18,000,000 for coun-*  
11 *ternarcotics research and development projects shall be*  
12 *available for transfer to other Federal departments or agen-*  
13 *cies.*

14                            *FEDERAL DRUG CONTROL PROGRAMS*  
15            *HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM*  
16                            *(INCLUDING TRANSFER OF FUNDS)*

17            *For necessary expenses of the Office of National Drug*  
18 *Control Policy's High Intensity Drug Trafficking Areas*  
19 *Program, \$226,350,000, for drug control activities con-*  
20 *sistent with the approved strategy for each of the designated*  
21 *High Intensity Drug Trafficking Areas, of which no less*  
22 *than 51 percent shall be transferred to State and local enti-*  
23 *ties for drug control activities, which shall be obligated*  
24 *within 120 days of the date of the enactment of this Act:*  
25 *Provided, That up to 49 percent, to remain available until*  
26 *September 30, 2005, may be transferred to Federal agencies*

1 *and departments at a rate to be determined by the Director,*  
2 *of which not less than \$2,100,000 shall be used for auditing*  
3 *services and associated activities: Provided further, That*  
4 *High Intensity Drug Trafficking Areas Programs des-*  
5 *ignated as of September 30, 2002, shall be funded at no*  
6 *less than the fiscal year 2002 initial allocation levels unless*  
7 *the Director submits to the Committees on Appropriations,*  
8 *and the Committees approve, justification for changes in*  
9 *those levels based on clearly articulated priorities for the*  
10 *High Intensity Drug Trafficking Areas Programs, as well*  
11 *as published Office of National Drug Control Policy per-*  
12 *formance measures of effectiveness: Provided further, That*  
13 *a request shall be submitted to the Committees on Appro-*  
14 *priations for approval prior to the expenditure of funds of*  
15 *an amount in excess of the fiscal year 2004 budget request:*  
16 *Provided further, That such request shall be made in com-*  
17 *pliance with the reprogramming guidelines: Provided fur-*  
18 *ther, That no funds shall be used for any further or addi-*  
19 *tional consolidation of the Southwest Border High Intensity*  
20 *Drug Trafficking Area, except for the operation of an office*  
21 *with a coordinating role, until the Office submits a report*  
22 *on the structure of the Southwest Border High Intensity*  
23 *Drug Trafficking Area.*

## 1           OTHER FEDERAL DRUG CONTROL PROGRAMS

## 2                           (INCLUDING TRANSFER OF FUNDS)

3           *For activities to support a national anti-drug cam-*  
4 *paign for youth, and for other purposes, authorized by the*  
5 *Office of National Drug Control Policy Reauthorization Act*  
6 *of 1998 (21 U.S.C. 1701 et seq.), \$174,000,000, to remain*  
7 *available until expended, of which the following amounts*  
8 *are available as follows: \$100,000,000 to support a national*  
9 *media campaign, as authorized by the Drug-Free Media*  
10 *Campaign Act of 1998; \$60,000,000 to continue a program*  
11 *of matching grants to drug-free communities, of which*  
12 *\$1,000,000 shall be a directed grant to the Community*  
13 *Anti-Drug Coalitions of America for the National Commu-*  
14 *nity Anti-Drug Coalition Institute, as authorized in chap-*  
15 *ter 2 of the National Narcotics Leadership Act of 1988, as*  
16 *amended; \$1,500,000 for the Counterdrug Intelligence Exec-*  
17 *utive Secretariat; \$2,000,000 for evaluations and research*  
18 *related to National Drug Control Program performance*  
19 *measures; \$1,000,000 for the National Drug Court Institute;*  
20 *\$7,200,000 for the United States Anti-Doping Agency for*  
21 *anti-doping activities; and \$800,000 for the United States*  
22 *membership dues to the World Anti-Doping Agency: Pro-*  
23 *vided, That such funds may be transferred to other Federal*  
24 *departments and agencies to carry out such activities.*

1 *UNANTICIPATED NEEDS*

2 *For expenses necessary to enable the President to meet*  
3 *unanticipated needs, in furtherance of the national interest,*  
4 *security, or defense which may arise at home or abroad dur-*  
5 *ing the current fiscal year, as authorized by 3 U.S.C. 108,*  
6 *\$1,000,000.*

7 *TITLE IV—INDEPENDENT AGENCIES*

8 *ARCHITECTURAL AND TRANSPORTATION BARRIERS*

9 *COMPLIANCE BOARD*

10 *SALARIES AND EXPENSES*

11 *For expenses necessary for the Architectural and*  
12 *Transportation Barriers Compliance Board, as authorized*  
13 *by section 502 of the Rehabilitation Act of 1973, as amend-*  
14 *ed \$5,401,000: Provided, That, notwithstanding any other*  
15 *provision of law, there may be credited to this appropria-*  
16 *tion funds received for publications and training expenses.*

17 *COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE*

18 *BLIND OR SEVERELY DISABLED*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the Committee for Purchase*  
21 *From People Who Are Blind or Severely Disabled estab-*  
22 *lished by Public Law 92-28, \$4,725,000.*

23 *ELECTION ASSISTANCE COMMISSION*

24 *For necessary expenses of the Election Assistance Com-*  
25 *mission, \$1,500,000,000, for providing grants to assist*

1 *State and local efforts to improve election technology and*  
2 *the administration of Federal elections, as authorized by*  
3 *the Help America Vote Act of 2002: Provided, That no more*  
4 *than  $\frac{1}{10}$  of 1 percent of funds available for requirements*  
5 *payments under Section 257 of the Help America Vote Act*  
6 *of 2002 shall be allocated to any territory.*

7 *FEDERAL ELECTION COMMISSION*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses to carry out the provisions of*  
10 *the Federal Election Campaign Act of 1971, as amended,*  
11 *\$50,440,000, of which not to exceed \$5,000 shall be available*  
12 *for reception and representation expenses.*

13 *FEDERAL LABOR RELATIONS AUTHORITY*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses to carry out functions of the*  
16 *Federal Labor Relations Authority, pursuant to Reorga-*  
17 *nization Plan Numbered 2 of 1978, and the Civil Service*  
18 *Reform Act of 1978, including services authorized by 5*  
19 *U.S.C. 3109, and including hire of experts and consultants,*  
20 *hire of passenger motor vehicles, and rental of conference*  
21 *rooms in the District of Columbia and elsewhere,*  
22 *\$29,611,000: Provided, That public members of the Federal*  
23 *Service Impasses Panel may be paid travel expenses and*  
24 *per diem in lieu of subsistence as authorized by law (5*  
25 *U.S.C. 5703) for persons employed intermittently in the*



1 *Government service, and compensation as authorized by*  
2 *U.S.C. 3109: Provided further, That notwithstanding*  
3 *U.S.C. 3302, funds received from fees charged to non-Fed-*  
4 *eral participants at labor-management relations con-*  
5 *ferences shall be credited to and merged with this account,*  
6 *to be available without further appropriation for the costs*  
7 *of carrying out these conferences.*

8 *FEDERAL MARITIME COMMISSION*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Federal Maritime Com-*  
11 *mission as authorized by section 201(d) of the Merchant*  
12 *Marine Act, 1936, as amended (46 U.S.C. App. 1111), in-*  
13 *cluding services as authorized by 5 U.S.C. 3109; hire of pas-*  
14 *senger motor vehicles as authorized by 31 U.S.C. 1343(b);*  
15 *and uniforms or allowances therefore, as authorized by 5*  
16 *U.S.C. 5901–5902, \$18,471,000: Provided, That not to ex-*  
17 *ceed \$2,000 shall be available for official reception and rep-*  
18 *resentation expenses.*

19 *GENERAL SERVICES ADMINISTRATION*

20 *REAL PROPERTY ACTIVITIES*

21 *FEDERAL BUILDINGS FUND*

22 *LIMITATIONS ON AVAILABILITY OF REVENUE*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For an additional amount to be deposited in, and to*  
25 *be used for the purposes of, the Fund established pursuant*  
26 *to section 210(f) of the Federal Property and Administra-*

1 *tive Services Act of 1949, as amended (40 U.S.C. 592),*  
2 *\$407,000,000. The revenues and collections deposited into*  
3 *the Fund shall be available for necessary expenses of real*  
4 *property management and related activities not otherwise*  
5 *provided for, including operation, maintenance, and protec-*  
6 *tion of federally owned and leased buildings; rental of build-*  
7 *ings in the District of Columbia; restoration of leased prem-*  
8 *ises; moving governmental agencies (including space adjust-*  
9 *ments and telecommunications relocation expenses) in con-*  
10 *nection with the assignment, allocation and transfer of*  
11 *space; contractual services incident to cleaning or servicing*  
12 *buildings, and moving; repair and alteration of federally*  
13 *owned buildings including grounds, approaches and appur-*  
14 *tenances; care and safeguarding of sites; maintenance, pres-*  
15 *ervation, demolition, and equipment; acquisition of build-*  
16 *ings and sites by purchase, condemnation, or as otherwise*  
17 *authorized by law; acquisition of options to purchase build-*  
18 *ings and sites; conversion and extension of federally owned*  
19 *buildings; preliminary planning and design of projects by*  
20 *contract or otherwise; construction of new buildings (in-*  
21 *cluding equipment for such buildings); and payment of*  
22 *principal, interest, and any other obligations for public*  
23 *buildings acquired by installment purchase and purchase*  
24 *contract; in the aggregate amount of \$6,717,247,000, of*  
25 *which: (1) \$659,668,000 shall remain available until ex-*

1 *pending for construction (including funds for sites and ex-*  
2 *penses and associated design and construction services) of*  
3 *additional projects at the following locations:*

4 *New Construction:*

5 *Alabama:*

6 *Anniston, United States Courthouse,*

7 *\$4,400,000*

8 *Tuscaloosa, Federal Building,*

9 *\$7,500,000*

10 *California:*

11 *Los Angeles, United States Courthouse,*

12 *\$50,000,000*

13 *San Diego, Border Station,*

14 *\$34,211,000*

15 *Colorado:*

16 *Denver Federal Center, site remedi-*

17 *ation, \$6,000,000*

18 *Florida:*

19 *Orlando, United States Courthouse,*

20 *\$7,200,000*

21 *Maine:*

22 *Jackman, Border Station, \$7,712,000*

23 *Maryland:*

24 *Montgomery County, Food and Drug*

25 *Administration Consolidation, \$45,000,000*

1                    *Suitland, United States Census Bu-*  
2                    *reau, \$146,451,000*

3                    *Michigan:*

4                    *Detroit, Ambassador Bridge Border*  
5                    *Station, \$25,387,000*

6                    *New York:*

7                    *Champlain, Border Station,*  
8                    *\$31,031,000*

9                    *North Carolina:*

10                   *Charlotte, United States Courthouse,*  
11                   *\$8,500,000*

12                   *Ohio:*

13                   *Toledo, United States Courthouse,*  
14                   *\$6,500,000*

15                   *Pennsylvania:*

16                   *Harrisburg, PA, United States Court-*  
17                   *house, \$26,000,000*

18                   *South Carolina:*

19                   *Greenville, United States Courthouse,*  
20                   *\$11,000,000*

21                   *Texas:*

22                   *Del Rio, Border Station, \$23,966,000*

23                   *Eagle Pass, Border Station,*  
24                   *\$31,980,000*

1                    *Houston, Federal Bureau of Investiga-*  
2                    *tion, \$58,080,000*

3                    *McAllen, Border Station, \$17,938,000*

4                    *San Antonio, United States Court-*  
5                    *house, \$8,000,000*

6                    *Virginia:*

7                    *Richmond, United States Courthouse,*  
8                    *\$83,000,000*

9                    *Washington:*

10                    *Blaine, Border Station, \$9,812,000*

11                    *Nonprospectus Construction, \$10,000,000:*

12 *Provided, That each of the foregoing limits of costs on new*  
13 *construction projects may be exceeded to the extent that sav-*  
14 *ings are effected in other such projects, but not to exceed*  
15 *10 percent of the amounts included in an approved pro-*  
16 *spectus, if required, unless advance approval is obtained*  
17 *from the Committees on Appropriations of a greater*  
18 *amount: Provided further, That all funds for direct con-*  
19 *struction projects shall expire on September 30, 2005, and*  
20 *remain in the Federal Buildings Fund except for funds for*  
21 *projects as to which funds for design or other funds have*  
22 *been obligated in whole or in part prior to such date; (2)*  
23 *\$1,000,939,000 shall remain available until expended for*  
24 *repairs and alterations, which includes associated design*  
25 *and construction services: Provided further, That funds in*

1 *the Federal Buildings Fund for Repairs and Alterations*  
2 *shall, for prospectus projects, be limited to the amount by*  
3 *project, as follows, except each project may be increased by*  
4 *an amount not to exceed 10 percent unless advance ap-*  
5 *proval is obtained from the Committees on Appropriations*  
6 *of a greater amount:*

7 *Repairs and Alterations:*

8 *Colorado:*

9 *Denver, Byron G. Rogers Federal*  
10 *Building—Courthouse, \$39,436,000*

11 *District of Columbia:*

12 *320 First Street, \$7,485,000*

13 *Eisenhower Executive Office Building,*  
14 *\$65,757,000*

15 *Federal Office Building 8,*  
16 *\$134,872,000*

17 *Main Interior Building, \$15,603,000*

18 *Fire & Life Safety, \$68,188,000*

19 *Georgia:*

20 *Atlanta, Richard B. Russell Federal*  
21 *Building, \$32,173,000*

22 *Illinois:*

23 *Chicago, Dirksen Courthouse &*  
24 *Kluczynski Federal Building, \$24,056,000*

1                    *Springfield, Paul H. Findley Federal*  
2                    *Building—Courthouse, \$6,183,000*

3                    *Indiana:*

4                    *Terra Haute Federal Building—Post*  
5                    *Office, \$4,600,000*

6                    *Massachusetts:*

7                    *Boston, John W. McCormack Post Of-*  
8                    *fice and Courthouse, \$73,037,000*

9                    *New York:*

10                   *Brooklyn, Emanuel Celler Courthouse,*  
11                   *\$65,511,000*

12                   *North Dakota:*

13                   *Fargo, Federal Building—Post Office,*  
14                   *\$5,801,000*

15                   *Ohio:*

16                   *Columbus, John W. Bricker Federal*  
17                   *Building, \$10,707,000*

18                   *Washington:*

19                   *Auburn, Building 7, Auburn Federal*  
20                   *Building, \$18,315,000*

21                   *Bellingham, Federal Building,*  
22                   *\$2,610,000*

23                   *Seattle, Henry M. Jackson Federal*  
24                   *Building, \$6,868,000*

25                   *Special Emphasis Programs:*

1                    *Chlorofluorocarbons Program, \$5,000,000*  
2                    *Energy Program, \$5,000,000*  
3                    *Glass Fragmentation Program, \$20,000,000*  
4                    *Design Program, \$34,737,000*  
5                    *Basic Repairs and Alterations,*  
6                    *\$355,000,000:*

7 *Provided further, That funds made available in any pre-*  
8 *vious Act in the Federal Buildings Fund for Repairs and*  
9 *Alterations shall, for prospectus projects, be limited to the*  
10 *amount identified for each project, except each project in*  
11 *any previous Act may be increased by an amount not to*  
12 *exceed 10 percent unless advance approval is obtained from*  
13 *the Committees on Appropriations of a greater amount:*  
14 *Provided further, That additional projects for which*  
15 *prospectuses have been fully approved may be funded under*  
16 *this category only if advance approval is obtained from the*  
17 *Committees on Appropriations: Provided further, That the*  
18 *amounts provided in this or any prior Act for “Repairs*  
19 *and Alterations” may be used to fund costs associated with*  
20 *implementing security improvements to buildings necessary*  
21 *to meet the minimum standards for security in accordance*  
22 *with current law and in compliance with the reprogram-*  
23 *ming guidelines of the appropriate Committees of the House*  
24 *and Senate: Provided further, That the difference between*  
25 *the funds appropriated and expended on any projects in*



1 *this or any prior Act, under the heading “Repairs and Al-*  
2 *terations”, may be transferred to Basic Repairs and Alter-*  
3 *ations or used to fund authorized increases in prospectus*  
4 *projects: Provided further, That all funds for repairs and*  
5 *alterations prospectus projects shall expire on September*  
6 *30, 2005 and remain in the Federal Buildings Fund except*  
7 *funds for projects as to which funds for design or other*  
8 *funds have been obligated in whole or in part prior to such*  
9 *date: Provided further, That the amount provided in this*  
10 *or any prior Act for Basic Repairs and Alterations may*  
11 *be used to pay claims against the Government arising from*  
12 *any projects under the heading “Repairs and Alterations”*  
13 *or used to fund authorized increases in prospectus projects:*  
14 *Provided further, That the funds available herein for re-*  
15 *pairs to the Bellingham, Washington, Federal Building,*  
16 *shall be available for transfer to the city of Bellingham,*  
17 *Washington, subject to disposal of the building to the city;*  
18 *(3) \$169,745,000 for installment acquisition payments in-*  
19 *cluding payments on purchase contracts which shall remain*  
20 *available until expended; (4) \$3,278,187,000 for rental of*  
21 *space which shall remain available until expended; and (5)*  
22 *\$1,608,708,000 for building operations which shall remain*  
23 *available until expended: Provided further, That funds*  
24 *available to the General Services Administration shall not*  
25 *be available for expenses of any construction, repair, alter-*

1 *ation and acquisition project for which a prospectus, if re-*  
2 *quired by the Public Buildings Act of 1959, as amended,*  
3 *has not been approved, except that necessary funds may be*  
4 *expended for each project for required expenses for the devel-*  
5 *opment of a proposed prospectus: Provided further, That*  
6 *funds available in the Federal Buildings Fund may be ex-*  
7 *pended for emergency repairs when advance approval is ob-*  
8 *tained from the Committees on Appropriations: Provided*  
9 *further, That amounts necessary to provide reimbursable*  
10 *special services to other agencies under section 210(f)(6) of*  
11 *the Federal Property and Administrative Services Act of*  
12 *1949, as amended (40 U.S.C. 592(b)(2)) and amounts to*  
13 *provide such reimbursable fencing, lighting, guard booths,*  
14 *and other facilities on private or other property not in Gov-*  
15 *ernment ownership or control as may be appropriate to en-*  
16 *able the United States Secret Service to perform its protec-*  
17 *tive functions pursuant to 18 U.S.C. 3056, shall be avail-*  
18 *able from such revenues and collections: Provided further,*  
19 *That revenues and collections and any other sums accruing*  
20 *to this Fund during fiscal year 2004, excluding reimburse-*  
21 *ments under section 210(f)(6) of the Federal Property and*  
22 *Administrative Services Act of 1949 (40 U.S.C. 592(b)(2))*  
23 *in excess of \$6,717,247,000 shall remain in the Fund and*  
24 *shall not be available for expenditure except as authorized*  
25 *in appropriations Acts.*

1 *GENERAL ACTIVITIES*2 *GOVERNMENT-WIDE POLICY*

3 *For expenses authorized by law, not otherwise provided*  
4 *for, for Government-wide policy and evaluation activities*  
5 *associated with the management of real and personal prop-*  
6 *erty assets and certain administrative services; Govern-*  
7 *ment-wide policy support responsibilities relating to acqui-*  
8 *sition, telecommunications, information technology man-*  
9 *agement, and related technology activities; and services as*  
10 *authorized by 5 U.S.C. 3109, \$61,781,000.*

11 *OPERATING EXPENSES*

12 *For expenses authorized by law, not otherwise provided*  
13 *for, for Government-wide activities associated with utiliza-*  
14 *tion and donation of surplus personal property; disposal*  
15 *of real property; telecommunications, information tech-*  
16 *nology management, and related technology activities; pro-*  
17 *viding citizens with Internet access to Federal information*  
18 *and services; agency-wide policy direction and manage-*  
19 *ment, and Board of Contract Appeals; accounting, records*  
20 *management, and other support services incident to adju-*  
21 *dication of Indian Tribal Claims by the United States*  
22 *Court of Federal Claims; services as authorized by 5 U.S.C.*  
23 *3109; and not to exceed \$7,500 for official reception and*  
24 *representation expenses, \$85,083,000.*

1    *OFFICE OF INSPECTOR GENERAL*

2            *For necessary expenses of the Office of Inspector Gen-*  
3 *eral and services authorized by 5 U.S.C. 3109, \$39,169,000:*  
4 *Provided, That not to exceed \$15,000 shall be available for*  
5 *payment for information and detection of fraud against the*  
6 *Government, including payment for recovery of stolen Gov-*  
7 *ernment property: Provided further, That not to exceed*  
8 *\$2,500 shall be available for awards to employees of other*  
9 *Federal agencies and private citizens in recognition of ef-*  
10 *forts and initiatives resulting in enhanced Office of Inspec-*  
11 *tor General effectiveness.*

12    *ELECTRONIC GOVERNMENT (E-GOV) FUND*

13    *(INCLUDING TRANSFER OF FUNDS)*

14            *For necessary expenses in support of interagency*  
15 *projects that enable the Federal Government to expand its*  
16 *ability to conduct activities electronically, through the de-*  
17 *velopment and implementation of innovative uses of the*  
18 *Internet and other electronic methods, \$5,000,000, to re-*  
19 *main available until expended: Provided, That these funds*  
20 *may be transferred to Federal agencies to carry out the pur-*  
21 *poses of the Fund: Provided further, That this transfer au-*  
22 *thority shall be in addition to any other transfer authority*  
23 *provided in this Act: Provided further, That such transfers*  
24 *may not be made until 10 days after a proposed spending*  
25 *plan and justification for each project to be undertaken has*  
26 *been submitted to the Committees on Appropriations.*

1         *ALLOWANCES AND OFFICE STAFF FOR FORMER*  
2                         *PRESIDENTS*  
3                         *(INCLUDING TRANSFER OF FUNDS)*

4         *For carrying out the provisions of the Act of August*  
5 *25, 1958, as amended (3 U.S.C. 102 note), and Public Law*  
6 *95-138, \$3,393,000: Provided, That the Administrator of*  
7 *General Services shall transfer to the Secretary of the Treas-*  
8 *ury such sums as may be necessary to carry out the provi-*  
9 *sions of such Acts.*

10         *GENERAL SERVICES ADMINISTRATION—GENERAL*  
11                         *PROVISIONS*

12         *SEC. 401. The appropriate appropriation or fund*  
13 *available to the General Services Administration shall be*  
14 *credited with the cost of operation, protection, maintenance,*  
15 *upkeep, repair, and improvement, included as part of rent-*  
16 *als received from Government corporations pursuant to law*  
17 *(40 U.S.C. 129).*

18         *SEC. 402. Funds available to the General Services Ad-*  
19 *ministration shall be available for the hire of passenger*  
20 *motor vehicles.*

21         *SEC. 403. Funds in the Federal Buildings Fund made*  
22 *available for fiscal year 2004 for Federal Buildings Fund*  
23 *activities may be transferred between such activities only*  
24 *to the extent necessary to meet program requirements: Pro-*  
25 *vided, That any proposed transfers shall be approved in ad-*  
26 *vance by the Committees on Appropriations.*

1        *SEC. 404. No funds made available by this Act shall*  
2 *be used to transmit a fiscal year 2005 request for United*  
3 *States Courthouse construction that: (1) does not meet the*  
4 *design guide standards for construction as established and*  
5 *approved by the General Services Administration, the Judi-*  
6 *cial Conference of the United States, and the Office of Man-*  
7 *agement and Budget; and (2) does not reflect the priorities*  
8 *of the Judicial Conference of the United States as set out*  
9 *in its approved 5-year construction plan: Provided, That*  
10 *the fiscal year 2005 request must be accompanied by a*  
11 *standardized courtroom utilization study of each facility to*  
12 *be constructed, replaced, or expanded.*

13        *SEC. 405. None of the funds provided in this Act may*  
14 *be used to increase the amount of occupiable square feet,*  
15 *provide cleaning services, security enhancements, or any*  
16 *other service usually provided through the Federal Build-*  
17 *ings Fund, to any agency that does not pay the rate per*  
18 *square foot assessment for space and services as determined*  
19 *by the General Services Administration in compliance with*  
20 *the Public Buildings Amendments Act of 1972 (Public Law*  
21 *92-313).*

22        *SEC. 406. Funds provided to other Government agen-*  
23 *cies by the Information Technology Fund, General Services*  
24 *Administration, under section 110 of the Federal Property*  
25 *and Administrative Services Act of 1949 (40 U.S.C. 757)*

1 *and sections 5124(b) and 5128 of the Clinger-Cohen Act of*  
2 *1996 (40 U.S.C. 1424(b) and 1428), for performance of*  
3 *pilot information technology projects which have potential*  
4 *for Government-wide benefits and savings, may be repaid*  
5 *to this Fund from any savings actually incurred by these*  
6 *projects or other funding, to the extent feasible.*

7       *SEC. 407. From funds made available under the head-*  
8 *ing "Federal Buildings Fund, Limitations on Availability*  
9 *of Revenue", claims against the Government of less than*  
10 *\$250,000 arising from direct construction projects and ac-*  
11 *quisition of buildings may be liquidated from savings ef-*  
12 *fecting in other construction projects with prior notification*  
13 *to the Committees on Appropriations.*

14       *SEC. 408. (a) Notwithstanding any other provision of*  
15 *law, the Administrator of General Services is authorized to*  
16 *acquire, under such terms and conditions as he deems to*  
17 *be in the interests of the United States, approximately 27*  
18 *acres of land, identified as Site 7 and located at 234 Cor-*  
19 *porate Drive, Pease International Tradeport, Portsmouth,*  
20 *NH 03801, as a site for the public building needs of the*  
21 *Federal Government, and to design and construct upon the*  
22 *site a new Federal Office Building of approximately 98,000*  
23 *gross square feet: Provided, That the Administrator shall*  
24 *not acquire any property under this subsection until the*  
25 *Administrator determines that the property is in compli-*

1 *ance with applicable environmental laws, and that the*  
2 *property is suitable and available for use as a site to house*  
3 *the Federal agencies presently located in the Thomas J.*  
4 *McIntyre Federal Building.*

5 *(b) For the site acquisition, design, construction, and*  
6 *relocation, \$11,149,000 shall be available from funds pre-*  
7 *viously provided under the heading “General Services Ad-*  
8 *ministration, Real Property Activities, Federal Buildings*  
9 *Fund” in Public Law 108–7 for repairs and alterations*  
10 *to the Thomas J. McIntyre Federal Building in Ports-*  
11 *mouth, New Hampshire, which was included in the plan*  
12 *for expenditure of repairs and alterations funds as required*  
13 *by accompanying House Report 108–10.*

14 *(c) For any additional costs of construction, manage-*  
15 *ment and inspection of the new facility to house the Federal*  
16 *agencies relocated from the McIntyre Federal Office Build-*  
17 *ing, and for the costs of relocating the Federal agencies oc-*  
18 *cupying the McIntyre Federal Office Building, \$13,669,000*  
19 *shall be deposited into the Federal Buildings Fund (40*  
20 *U.S.C. 592) from the General Fund; which amount, together*  
21 *with the amount set forth in subsection (b) of this section*  
22 *shall remain available until expended and shall be subject*  
23 *to such escalation and reprogramming authorities available*  
24 *to the Administrator for any other new construction*



1 *projects under the heading “Federal Building Fund Limita-*  
2 *tions on Availability of Revenue”.*

3 *(d) The Administrator is authorized and directed to*  
4 *convey, without consideration, the Thomas J. McIntyre*  
5 *Federal Office Building to the City of Portsmouth, New*  
6 *Hampshire for economic development purposes subject to*  
7 *the following conditions: (i) that all Federal agencies cur-*  
8 *rently occupying the McIntyre Building except the United*  
9 *States Postal Service are completely relocated to the new*  
10 *Federal Building for so long as those agencies have con-*  
11 *tinuing mission needs for that new location, (ii) that the*  
12 *requirements of the McKinney-Vento Homeless Assistance*  
13 *Act (42 U.S.C. 11411 et seq.) shall not apply to this convey-*  
14 *ance; and (iii) that the Administrator may include in the*  
15 *conveyance documents such terms and conditions as the Ad-*  
16 *ministrator determines in the best interest of the United*  
17 *States.*

18 *MERIT SYSTEMS PROTECTION BOARD*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For necessary expenses to carry out functions of the*  
22 *Merit Systems Protection Board pursuant to Reorganiza-*  
23 *tion Plan Numbered 2 of 1978 and the Civil Service Reform*  
24 *Act of 1978, including services as authorized by 5 U.S.C.*  
25 *3109, rental of conference rooms in the District of Columbia*  
26 *and elsewhere, hire of passenger motor vehicles, and direct*

1 *procurement of survey printing, \$32,877,000 together with*  
2 *not to exceed \$2,626,000 for administrative expenses to ad-*  
3 *judicate retirement appeals to be transferred from the Civil*  
4 *Service Retirement and Disability Fund in amounts deter-*  
5 *mined by the Merit Systems Protection Board.*

6 *MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN*  
7 *NATIONAL ENVIRONMENTAL POLICY FOUNDATION*

8 *MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN*  
9 *NATIONAL ENVIRONMENTAL POLICY TRUST FUND*

10 *For payment to the Morris K. Udall Scholarship and*  
11 *Excellence in National Environmental Policy Trust Fund,*  
12 *pursuant to the Morris K. Udall Scholarship and Excellence*  
13 *in National Environmental and Native American Public*  
14 *Policy Act of 1992 (20 U.S.C. 5601 et seq.), \$1,996,000,*  
15 *to remain available until expended: Provided, That up to*  
16 *60 percent of such funds may be transferred by the Morris*  
17 *K. Udall Scholarship and Excellence in National Environ-*  
18 *mental Policy Foundation for the necessary expenses of the*  
19 *Native Nations Institute.*

20 *ENVIRONMENTAL DISPUTE RESOLUTION FUND*

21 *For payment to the Environmental Dispute Resolution*  
22 *Fund to carry out activities authorized in the Environ-*  
23 *mental Policy and Conflict Resolution Act of 1998,*  
24 *\$1,309,000, to remain available until expended.*

1     *NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*2                             *OPERATING EXPENSES*

3             *For necessary expenses in connection with the admin-*  
4 *istration of the National Archives (including the Informa-*  
5 *tion Security Oversight Office) and archived Federal*  
6 *records and related activities, as provided by law, and for*  
7 *expenses necessary for the review and declassification of*  
8 *documents, and for the hire of passenger motor vehicles,*  
9 *\$258,191,000: Provided, That the Archivist of the United*  
10 *States is authorized to use any excess funds available from*  
11 *the amount borrowed for construction of the National Ar-*  
12 *chives facility, for expenses necessary to provide adequate*  
13 *storage for holdings.*

14                             *REPAIRS AND RESTORATION*

15             *For the repair, alteration, and improvement of ar-*  
16 *chives facilities, and to provide adequate storage for hold-*  
17 *ings, \$13,483,000, to remain available until expended, of*  
18 *which \$2,025,000 is for land acquisition for a site in An-*  
19 *chorage, Alaska to construct a new regional archives and*  
20 *records facility and of which \$5,000,000 is for the repair*  
21 *and restoration of the plaza that surrounds the Lyndon*  
22 *Baines Johnson Presidential Library and that is under the*  
23 *joint control and custody of the University of Texas: Pro-*  
24 *vided, That such funds may be transferred directly to the*  
25 *University and used, together with University funds, for re-*  
26 *pair and restoration of the plaza and remain available*

1 *until expended for this purpose: Provided further, That the*  
2 *same transfer authority shall extend to funds previously ap-*  
3 *propriated in Public Law 108–7 for this purpose.*

4 *NATIONAL HISTORICAL PUBLICATIONS AND RECORDS*

5 *COMMISSION*

6 *GRANTS PROGRAM*

7 *For necessary expenses for allocations and grants for*  
8 *historical publications and records as authorized by 44*  
9 *U.S.C. 2504, as amended, \$5,000,000, to remain available*  
10 *until expended.*

11 *NATIONAL TRANSPORTATION SAFETY BOARD*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the National Transportation*  
14 *Safety Board, including hire of passenger motor vehicles*  
15 *and aircraft; services as authorized by 5 U.S.C. 3109, but*  
16 *at rates for individuals not to exceed the per diem rate*  
17 *equivalent to the rate for a GS–15; uniforms, or allowances*  
18 *therefor, as authorized by law (5 U.S.C. 5901–5902)*  
19 *\$72,170,000, of which not to exceed \$2,000 may be used for*  
20 *official reception and representation expenses.*

21 *EMERGENCY FUND*

22 *For necessary expenses of the National Transportation*  
23 *Safety Board for accident investigations, \$600,000, to re-*  
24 *main available until expended: Provided, That these funds*  
25 *shall be available only to the extent necessary to restore the*

1 *balance of the emergency fund to \$2,000,000 (29 U.S.C.*  
2 *1118 (b)).*

3 *OFFICE OF GOVERNMENT ETHICS*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses to carry out functions of the*  
6 *Office of Government Ethics pursuant to the Ethics in Gov-*  
7 *ernment Act of 1978, as amended and the Ethics Reform*  
8 *Act of 1989, including services as authorized by 5 U.S.C.*  
9 *3109, rental of conference rooms in the District of Columbia*  
10 *and elsewhere, hire of passenger motor vehicles, and not to*  
11 *exceed \$1,500 for official reception and representation ex-*  
12 *penses, \$10,738,000.*

13 *OFFICE OF PERSONNEL MANAGEMENT*

14 *SALARIES AND EXPENSES*

15 *(INCLUDING TRANSFER OF TRUST FUNDS)*

16 *For necessary expenses to carry out functions of the*  
17 *Office of Personnel Management pursuant to Reorganiza-*  
18 *tion Plan Numbered 2 of 1978 and the Civil Service Reform*  
19 *Act of 1978, including services as authorized by 5 U.S.C.*  
20 *3109; medical examinations performed for veterans by pri-*  
21 *vate physicians on a fee basis; rental of conference rooms*  
22 *in the District of Columbia and elsewhere; hire of passenger*  
23 *motor vehicles; not to exceed \$2,500 for official reception*  
24 *and representation expenses; advances for reimbursements*  
25 *to applicable funds of the Office of Personnel Management*  
26 *and the Federal Bureau of Investigation for expenses in-*

1 *curred under Executive Order No. 10422 of January 9,*  
2 *1953, as amended; and payment of per diem and/or subsist-*  
3 *ence allowances to employees where Voting Rights Act ac-*  
4 *tivities require an employee to remain overnight at his or*  
5 *her post of duty, \$118,748,000, of which \$2,000,000 shall*  
6 *remain available until expended for the cost of the enter-*  
7 *prise human resources integration project, and \$2,500,000*  
8 *shall remain available until expended for the cost of leading*  
9 *the government-wide initiative to modernize the Federal*  
10 *payroll systems and service delivery and \$2,500,000 shall*  
11 *remain available through September 30, 2005 to coordinate*  
12 *and conduct program evaluation and performance measure-*  
13 *ment; and in addition \$135,914,000 for administrative ex-*  
14 *penses, to be transferred from the appropriate trust funds*  
15 *of the Office of Personnel Management without regard to*  
16 *other statutes, including direct procurement of printed ma-*  
17 *terials, for the retirement and insurance programs, of which*  
18 *\$36,700,000 shall remain available until expended for the*  
19 *cost of automating the retirement recordkeeping systems:*  
20 *Provided, That the provisions of this appropriation shall*  
21 *not affect the authority to use applicable trust funds as pro-*  
22 *vided by sections 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A)*  
23 *and (2)(A) of title 5, United States Code: Provided further,*  
24 *That no part of this appropriation shall be available for*  
25 *salaries and expenses of the Legal Examining Unit of the*

1 *Office of Personnel Management established pursuant to*  
2 *Executive Order No. 9358 of July 1, 1943, or any successor*  
3 *unit of like purpose: Provided further, That the President's*  
4 *Commission on White House Fellows, established by Execu-*  
5 *tive Order No. 11183 of October 3, 1964, may, during fiscal*  
6 *year 2004, accept donations of money, property, and per-*  
7 *sonal services in connection with the development of a pub-*  
8 *licity brochure to provide information about the White*  
9 *House Fellows, except that no such donations shall be ac-*  
10 *cepted for travel or reimbursement of travel expenses, or for*  
11 *the salaries of employees of such Commission.*

12 *OFFICE OF INSPECTOR GENERAL*

13 *SALARIES AND EXPENSES*

14 *(INCLUDING TRANSFER OF TRUST FUNDS)*

15 *For necessary expenses of the Office of Inspector Gen-*  
16 *eral in carrying out the provisions of the Inspector General*  
17 *Act, as amended, including services as authorized by 5*  
18 *U.S.C. 3109, hire of passenger motor vehicles, \$1,498,000,*  
19 *and in addition, not to exceed \$14,427,000 for administra-*  
20 *tive expenses to audit, investigate, and provide other over-*  
21 *sight of the Office of Personnel Management's retirement*  
22 *and insurance programs, to be transferred from the appro-*  
23 *priate trust funds of the Office of Personnel Management,*  
24 *as determined by the Inspector General: Provided, That the*  
25 *Inspector General is authorized to rent conference rooms in*  
26 *the District of Columbia and elsewhere.*

1     *GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES*2                             *HEALTH BENEFITS*

3             *For payment of Government contributions with re-*  
4 *spect to retired employees, as authorized by chapter 89 of*  
5 *title 5, United States Code, and the Retired Federal Em-*  
6 *ployees Health Benefits Act (74 Stat. 849), as amended,*  
7 *such sums as may be necessary.*

8     *GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE*9                             *INSURANCE*

10            *For payment of Government contributions with respect*  
11 *to employees retiring after December 31, 1989, as required*  
12 *by chapter 87 of title 5, United States Code, such sums as*  
13 *may be necessary.*

14     *PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY*15                             *FUND*

16            *For financing the unfunded liability of new and in-*  
17 *creased annuity benefits becoming effective on or after Octo-*  
18 *ber 20, 1969, as authorized by 5 U.S.C. 8348, and annuities*  
19 *under special Acts to be credited to the Civil Service Retire-*  
20 *ment and Disability Fund, such sums as may be necessary:*  
21 *Provided, That annuities authorized by the Act of May 29,*  
22 *1944, as amended, and the Act of August 19, 1950, as*  
23 *amended (33 U.S.C. 771–775), may hereafter be paid out*  
24 *of the Civil Service Retirement and Disability Fund.*



1                    *OFFICE OF SPECIAL COUNSEL*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses to carry out functions of the*  
4 *Office of Special Counsel pursuant to Reorganization Plan*  
5 *Numbered 2 of 1978, the Civil Service Reform Act of 1978*  
6 *(Public Law 95-454), as amended, the Whistleblower Pro-*  
7 *tection Act of 1989 (Public Law 101-12), as amended, Pub-*  
8 *lic Law 103-424, and the Uniformed Services Employment*  
9 *and Reemployment Act of 1994 (Public Law 103-353), in-*  
10 *cluding services as authorized by 5 U.S.C. 3109, payment*  
11 *of fees and expenses for witnesses, rental of conference rooms*  
12 *in the District of Columbia and elsewhere, and hire of pas-*  
13 *senger motor vehicles; \$13,504,000.*

14                    *UNITED STATES POSTAL SERVICE*15                    *PAYMENT TO THE POSTAL SERVICE FUND*

16            *For payment to the Postal Service Fund for revenue*  
17 *forgone on free and reduced rate mail, pursuant to sub-*  
18 *sections (c) and (d) of section 2401 of title 39, United States*  
19 *Code, \$65,521,000, of which \$36,521,000 shall not be avail-*  
20 *able for obligation until October 1, 2004: Provided, That*  
21 *mail for overseas voting and mail for the blind shall con-*  
22 *tinue to be free: Provided further, That 6-day delivery and*  
23 *rural delivery of mail shall continue at not less than the*  
24 *1983 level: Provided further, That none of the funds made*  
25 *available to the Postal Service by this Act shall be used to*

1 *implement any rule, regulation, or policy of charging any*  
2 *officer or employee of any State or local child support en-*  
3 *forcement agency, or any individual participating in a*  
4 *State or local program of child support enforcement, a fee*  
5 *for information requested or provided concerning an ad-*  
6 *dress of a postal customer: Provided further, That none of*  
7 *the funds provided in this Act shall be used to consolidate*  
8 *or close small rural and other small post offices in fiscal*  
9 *year 2004.*

10 *UNITED STATES TAX COURT*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses, including contract reporting*  
13 *and other services as authorized by 5 U.S.C. 3109,*  
14 *\$40,187,000: Provided, That travel expenses of the judges*  
15 *shall be paid upon the written certificate of the judge.*

16 *WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT*  
17 *OF REMEMBRANCE*

18 *For necessary expenses of the White House Commission*  
19 *on the National Moment of Remembrance, \$250,000.*

20 *TITLE V—GENERAL PROVISIONS*

21 *THIS ACT*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *SEC. 501. During the current fiscal year applicable*  
24 *appropriations to the Department of Transportation shall*  
25 *be available for maintenance and operation of aircraft; hire*

1 *of passenger motor vehicles and aircraft; purchase of liabil-*  
2 *ity insurance for motor vehicles operating in foreign coun-*  
3 *tries on official department business; and uniforms, or al-*  
4 *lowances therefor, as authorized by law (5 U.S.C. 5901–*  
5 *5902).*

6 *SEC. 502. Such sums as may be necessary for fiscal*  
7 *year 2004 pay raises for programs funded in this Act shall*  
8 *be absorbed within the levels appropriated in this Act or*  
9 *previous appropriations Acts.*

10 *SEC. 503. Appropriations contained in this Act for the*  
11 *Department of Transportation shall be available for services*  
12 *as authorized by 5 U.S.C. 3109, but at rates for individuals*  
13 *not to exceed the per diem rate equivalent to the rate for*  
14 *an Executive Level IV.*

15 *SEC. 504. None of the funds in this Act shall be avail-*  
16 *able for salaries and expenses of more than 106 political*  
17 *and Presidential appointees in the Department of Trans-*  
18 *portation: Provided, That none of the personnel covered by*  
19 *this provision or political and Presidential appointees in*  
20 *an independent agency funded in this Act may be assigned*  
21 *on temporary detail outside the Department of Transpor-*  
22 *tation or such independent agency.*

23 *SEC. 505. None of the funds in this Act shall be used*  
24 *for the planning or execution of any program to pay the*  
25 *expenses of, or otherwise compensate, non-Federal parties*

1 *intervening in regulatory or adjudicatory proceedings fund-*  
2 *ed in this Act.*

3       *SEC. 506. None of the funds appropriated in this Act*  
4 *shall remain available for obligation beyond the current fis-*  
5 *cal year, nor may any be transferred to other appropria-*  
6 *tions, unless expressly so provided herein.*

7       *SEC. 507. The expenditure of any appropriation under*  
8 *this Act for any consulting service through procurement*  
9 *contract pursuant to section 3109 of title 5, United States*  
10 *Code, shall be limited to those contracts where such expendi-*  
11 *tures are a matter of public record and available for public*  
12 *inspection, except where otherwise provided under existing*  
13 *law, or under existing Executive order issued pursuant to*  
14 *existing law.*

15       *SEC. 508. None of the funds in this Act shall be used*  
16 *to implement section 404 of title 23, United States Code.*

17       *SEC. 509. (a) No recipient of funds made available in*  
18 *this Act shall disseminate personal information (as defined*  
19 *in 18 U.S.C. 2725(3)) obtained by a State department of*  
20 *motor vehicles in connection with a motor vehicle record*  
21 *as defined in 18 U.S.C. 2725(1), except as provided in 18*  
22 *U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.*

23       *(b) Notwithstanding subsection (a), the Secretary shall*  
24 *not withhold funds provided in this Act for any grantee*  
25 *if a State is in noncompliance with this provision.*

1        *SEC. 510. Funds received by the Federal Highway Ad-*  
2 *ministration, Federal Transit Administration, and Federal*  
3 *Railroad Administration from States, counties, municipali-*  
4 *ties, other public authorities, and private sources for ex-*  
5 *penses incurred for training may be credited respectively*  
6 *to the Federal Highway Administration's "Federal-Aid*  
7 *Highways" account, the Federal Transit Administration's*  
8 *"Transit Planning and Research" account, and to the Fed-*  
9 *eral Railroad Administration's "Safety and Operations"*  
10 *account, except for State rail safety inspectors participating*  
11 *in training pursuant to 49 U.S.C. 20105.*

12        *SEC. 511. Notwithstanding any other provision of law,*  
13 *rule or regulation, the Secretary of Transportation is au-*  
14 *thorized to allow the issuer of any preferred stock heretofore*  
15 *sold to the Department to redeem or repurchase such stock*  
16 *upon the payment to the Department of an amount deter-*  
17 *mined by the Secretary.*

18        *SEC. 512. None of the funds in title I of this Act may*  
19 *be used to make a grant unless the Secretary of Transpor-*  
20 *tation, or the Secretary of the department in which the*  
21 *Transportation Security Administration is operating, noti-*  
22 *fies the House and Senate Committees on Appropriations*  
23 *not less than 3 full business days before any discretionary*  
24 *grant award, letter of intent, or full funding grant agree-*  
25 *ment totaling \$1,000,000 or more is announced by the de-*

1 *partment or its modal administrations from: (1) any dis-*  
2 *cretionary grant program of the Federal Highway Admin-*  
3 *istration other than the emergency relief program; (2) the*  
4 *airport improvement program of the Federal Aviation Ad-*  
5 *ministration; or (3) any program of the Federal Transit*  
6 *Administration other than the formula grants and fixed*  
7 *guideway modernization programs: Provided, That no noti-*  
8 *fication shall involve funds that are not available for obliga-*  
9 *tion.*

10 *SEC. 513. Rebates, refunds, incentive payments, minor*  
11 *fees and other funds received by the Department of Trans-*  
12 *portation from travel management centers, charge card pro-*  
13 *grams, the subleasing of building space, and miscellaneous*  
14 *sources are to be credited to appropriations of the Depart-*  
15 *ment of Transportation and allocated to elements of the De-*  
16 *partment of Transportation using fair and equitable cri-*  
17 *teria and such funds shall be available until expended.*

18 *SEC. 514. None of the funds in this Act may be obli-*  
19 *gated for the Office of the Secretary of Transportation to*  
20 *approve assessments or reimbursable agreements pertaining*  
21 *to funds appropriated to the modal administrations in this*  
22 *Act, except for activities underway on the date of enactment*  
23 *of this Act, unless such assessments or agreements have com-*  
24 *pleted the normal reprogramming process for Congressional*  
25 *notification.*

1       *SEC. 515. Funds appropriated or limited in title I of*  
2 *this Act shall be subject to the terms and conditions stipu-*  
3 *lated in section 350 of Public Law 107–87, including that*  
4 *the Secretary submit a report to the House and Senate Ap-*  
5 *propriations Committees annually on the safety and secu-*  
6 *rity of transportation into the United States by Mexico-*  
7 *domiciled motor carriers.*

8       *SEC. 516. None of the funds made available in this*  
9 *Act may be transferred to any department, agency, or in-*  
10 *strumentality of the United States Government, except pur-*  
11 *suant to a transfer made by, or transfer authority provided*  
12 *in, this Act or any other appropriations Act.*

13       *SEC. 517. Funds provided in this Act for the Working*  
14 *Capital Fund shall be reduced by \$17,816,000, which limits*  
15 *fiscal year 2004 Working Capital Fund obligational au-*  
16 *thority for elements of the Department of Transportation*  
17 *funded in this Act to no more than \$98,899,000: Provided,*  
18 *That such reductions from the budget request shall be allo-*  
19 *cated by the Department of Transportation to each appro-*  
20 *priations account in proportion to the amount included in*  
21 *each account for the Working Capital Fund.*

22       *SEC. 518. AMENDMENTS TO PRIOR SURFACE TRANS-*  
23 *PORTATION LAWS. (a) ISTEА HIGH PRIORITY COR-*  
24 *RIDORS.—*

1           (1) *Section 1105(c) of the Intermodal Surface*  
2           *Transportation Efficiency Act of 1991 (105 Stat.*  
3           *2032–2033) as amended, is further amended by in-*  
4           *serting after paragraph (44) the following:*

5                   “(45) U.S. 78 from Tupelo, Mississippi, to Mem-  
6           *phis, Tennessee.”.*

7           (2) *Section 1105(e)(5)(A) of such Act as amended is*  
8           *further amended by striking “and subsection (c)(42)” and*  
9           *inserting after “(c)(40),” the following: “in subsection*  
10          *(c)(42), and in subsection (c)(45)”.*

11          (3) *Section 1105(e)(5)(B)(i) of such Act is amended*  
12          *by adding at the end the following: “The portion of the route*  
13          *referred to in subsection (c)(45) and the portion of the route*  
14          *referred to in subsection (c)(42) between Tupelo, Mis-*  
15          *issippi, and Birmingham, Alabama, are designated as*  
16          *Interstate Route I–22.”.*

17          *SEC. 519. Amounts made available in this or any other*  
18          *Act that the Secretary determines represent improper pay-*  
19          *ments by the Department of Transportation to a third*  
20          *party contractor under a financial assistance award, which*  
21          *are recovered pursuant to law, shall be available—*

22                   (1) *to reimburse the actual expenses incurred by*  
23                  *the Department of Transportation in recovering im-*  
24                  *proper payments; and*



1           (2) to pay contractors for services provided in re-  
2           covering improper payments: Provided, That amounts  
3           in excess of that required for paragraphs (1) and  
4           (2)—

5                   (A) shall be credited to and merged with the  
6                   appropriation from which the improper pay-  
7                   ments were made, and shall be available for the  
8                   purposes and period for which such appropria-  
9                   tions are available; or

10                   (B) if no such appropriation remains avail-  
11                   able, shall be deposited in the Treasury as mis-  
12                   cellaneous receipts: Provided, That prior to the  
13                   transfer of any such recovery to an appropria-  
14                   tions account, the Secretary shall notify the  
15                   House and Senate Committees on Appropria-  
16                   tions of the amount and reasons for such trans-  
17                   fer: Provided further, That for purposes of this  
18                   section, the term “improper payments”, has the  
19                   same meaning as that provided in section  
20                   2(d)(2) of Public Law 107–300.

21           SEC. 520. The Secretary of Transportation is author-  
22           ized to transfer the unexpended balances available for the  
23           bonding assistance program from “Office of the Secretary,  
24           Salaries and expenses” to “Minority Business Outreach”.

1        *SEC. 521. The expenditure of any appropriation under*  
2 *this Act for any consulting service through procurement*  
3 *contract, pursuant to 5 U.S.C. 3109, shall be limited to*  
4 *those contracts where such expenditures are a matter of pub-*  
5 *lic record and available for public inspection, except where*  
6 *otherwise provided under existing law, or under existing*  
7 *Executive order issued pursuant to existing law.*

8        *SEC. 522. In conducting the rulemaking mandated by*  
9 *Section 352 of Public Law 108–7, the Department of Trans-*  
10 *portation and any other agencies involved in the rule-*  
11 *making shall ensure that the proposed rules fully and accu-*  
12 *rately reflect the findings in the General Accounting Office.*  
13 *The study concerns the adequacy of the Department’s proce-*  
14 *dures used prior to the passage of Public Law 108–7 in*  
15 *order to ensure the security of facilities and activities de-*  
16 *scribed in Section 352.*

17        *SEC. 523. No part of any appropriation contained in*  
18 *this Act shall be available to pay the salary for any person*  
19 *filling a position, other than a temporary position, formerly*  
20 *held by an employee who has left to enter the Armed Forces*  
21 *of the United States and has satisfactorily completed his*  
22 *period of active military or naval service, and has within*  
23 *90 days after his release from such service or from hos-*  
24 *pitalization continuing after discharge for a period of not*  
25 *more than 1 year, made application for restoration to his*

1 *former position and has been certified by the Office of Per-*  
2 *sonnel Management as still qualified to perform the duties*  
3 *of his former position and has not been restored thereto.*

4       *SEC. 524. No funds appropriated pursuant to this Act*  
5 *may be expended by an entity unless the entity agrees that*  
6 *in expending the assistance the entity will comply with sec-*  
7 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*  
8 *10a–10c, popularly known as the “Buy America Act”).*

9       *SEC. 525. (a) PURCHASE OF AMERICAN-MADE EQUIP-*  
10 *MENT AND PRODUCTS.—In the case of any equipment or*  
11 *products that may be authorized to be purchased with fi-*  
12 *nancial assistance provided under this Act, it is the sense*  
13 *of the Congress that entities receiving such assistance*  
14 *should, in expending the assistance, purchase only Amer-*  
15 *ican-made equipment and products.*

16       *(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In pro-*  
17 *viding financial assistance under this Act, the Secretary of*  
18 *the Treasury shall provide to each recipient of the assistance*  
19 *a notice describing the statement made in subsection (a)*  
20 *by the Congress.*

21       *SEC. 526. If it has been finally determined by a court*  
22 *or Federal agency that any person intentionally affixed a*  
23 *label bearing a “Made in America” inscription, or any in-*  
24 *scription with the same meaning, to any product sold in*  
25 *or shipped to the United States that is not made in the*

1 *United States, such person shall be ineligible to receive any*  
2 *contract or subcontract made with funds provided pursuant*  
3 *to this Act, pursuant to the debarment, suspension, and in-*  
4 *eligibility procedures described in sections 9.400 through*  
5 *9.409 of title 48, Code of Federal Regulations.*

6 *SEC. 527. Except as otherwise specifically provided by*  
7 *law, not to exceed 50 percent of unobligated balances re-*  
8 *maining available at the end of fiscal year 2004 from ap-*  
9 *propriations made available for salaries and expenses for*  
10 *fiscal year 2004 in this Act, shall remain available through*  
11 *September 30, 2005, for each such account for the purposes*  
12 *authorized: Provided, That a request shall be submitted to*  
13 *the Committees on Appropriations for approval prior to the*  
14 *expenditure of such funds: Provided further, That these re-*  
15 *quests shall be made in compliance with reprogramming*  
16 *guidelines.*

17 *SEC. 528. None of the funds made available in this*  
18 *Act may be used by the Executive Office of the President*  
19 *to request from the Federal Bureau of Investigation any of-*  
20 *ficial background investigation report on any individual,*  
21 *except when—*

22 *(1) such individual has given his or her express*  
23 *written consent for such request not more than 6*  
24 *months prior to the date of such request and during*  
25 *the same presidential administration; or*

1           (2) *such request is required due to extraordinary*  
2           *circumstances involving national security.*

3           *SEC. 529. The cost accounting standards promulgated*  
4           *under section 26 of the Office of Federal Procurement Policy*  
5           *Act (Public Law 93-400; 41 U.S.C. 422) shall not apply*  
6           *with respect to a contract under the Federal Employees*  
7           *Health Benefits Program established under chapter 89 of*  
8           *title 5, United States Code.*

9           *SEC. 530. For the purpose of resolving litigation and*  
10          *implementing any settlement agreements regarding the non-*  
11          *foreign area cost-of-living allowance program, the Office of*  
12          *Personnel Management may accept and utilize (without re-*  
13          *gard to any restriction on unanticipated travel expenses*  
14          *imposed in an Appropriations Act) funds made available*  
15          *to the Office pursuant to court approval.*

16          *SEC. 531. No funds appropriated or otherwise made*  
17          *available under this Act shall be made available to any per-*  
18          *son or entity that has been convicted of violating the Buy*  
19          *American Act (41 U.S.C. 10a-10c).*

20          *SEC. 532. Notwithstanding any other provision of law,*  
21          *any bridge that is owned and operated by a state agency*  
22          *(1) whose toll revenues are administered by a Metropolitan*  
23          *Planning Organization (MPO), and (2) whose toll revenues*  
24          *provide for subsidizing of non-capital transportation costs,*  
25          *shall be eligible for assistance under this section but the*

1 amount of toll revenues expended for non-capital transpor-  
2 tation costs shall in no event exceed the cumulative amount  
3 of local toll revenues used for federal interstate and federal-  
4 aid highway construction and improvement projects in the  
5 toll bridge corridors. Before authorizing an expenditure of  
6 funds under this subsection, the Secretary shall determine  
7 that the cumulative amount of toll revenues used for con-  
8 struction and improvement to the federal interstate and fed-  
9 eral-aid highway system is greater than the cumulative  
10 amount of toll revenue used for non-capital transportation  
11 projects not directly related to the on-going operation and  
12 maintenance of the toll bridges.

13       *SEC. 533. Notwithstanding any other provision of this*  
14 *Act, amounts appropriated or limited in this Act are hereby*  
15 *reduced by \$128,076,000. Such reductions shall—*

16               *(1) be administered by the Director, Office of*  
17 *Management and Budget;*

18               *(2) be assessed by the Director within 30 days of*  
19 *enactment of this Act;*

20               *(3) be derived solely from funds appropriated or*  
21 *limited for activities under:*

22                       *(A) Object Class 21.0—Travel and Trans-*  
23 *portation of Persons, with the exception of funds*  
24 *provided for the travel of safety inspectors within*  
25 *the Department of Transportation and enforce-*

1           *ment personnel within the Department of the*  
2           *Treasury;*

3                   *(B) Object Class 22.0—Transportation of*  
4           *Things;*

5                   *(C) Object Class 23.3—Communications,*  
6           *Utilities, and Miscellaneous Charges, with the ex-*  
7           *ception of the telecommunication costs associated*  
8           *with the FAA air traffic control system and the*  
9           *Internal Revenue Service;*

10                   *(D) Object Class 24.0—Printing and Repro-*  
11           *duction, with the exception of such expenses*  
12           *within the Internal Revenue Service;*

13                   *(E) Object Class 25.1—Advisory and Assist-*  
14           *ance Services;*

15                   *(F) Object Class 26.0—Supplies and Mate-*  
16           *rials, with the exception of such expenses in the*  
17           *United States Mint;*

18                   *(G) Object Class 31.0—Equipment, with the*  
19           *exception of such expenses under the Internal*  
20           *Revenue Service and the FAA Facilities and*  
21           *Equipment account.*

22                   *(4) be assessed by the Director on a pro-rata*  
23           *basis against all agencies funded in this Act with ad-*  
24           *justments necessitated by the exceptions cited under*  
25           *subsection (3); and*

1           (5) not be assessed against the Department of  
2           Transportation’s Working Capital Fund.

3           SEC. 534. None of the funds appropriated or limited  
4           in title I of this Act may be used to change weight restric-  
5           tions or prior permission rules at Teterboro Airport.

6           SEC. 535. Section 414(h) of title 39, United States  
7           Code, is amended by striking “2003” and inserting “2005”.

8           SEC. 536. After the last section of the Federal Transit  
9           Act, 49 U.S.C. Chapter 53, add the following section:

10          “SEC. \_\_\_\_ . **UTAH TRANSPORTATION PROJECTS.**

11           “(a) **COORDINATION.**—FTA and FHWA are directed  
12           to work with the Utah Transit Authority and the Utah De-  
13           partment of Transportation to coordinate the development  
14           regional commuter rail and the northern segment of I–15  
15           reconstruction located in the Wasatch Front corridor ex-  
16           tending from Brigham City to Payson, Utah. Coordination  
17           includes integration of preliminary engineering and design,  
18           a simplified method for allocating project costs among eligi-  
19           ble FTA and FHWA funding sources, and a unified ac-  
20           counting and audit process.

21           “(b) **GOVERNMENTAL FUNDING.**—For purposes of de-  
22           termining and allocating the nongovernmental and govern-  
23           mental share of costs, the following projects comprise a re-  
24           lated program of projects: regional commuter rail, the  
25           TRAX light rail system, TRAX extensions to the Medical



1 *Center and to the Gateway Intermodal Center, and the*  
2 *northern segment of I-15 reconstruction. The governmental*  
3 *share of project costs appropriated from the Section 5309*  
4 *New Start program shall conform to the share specified in*  
5 *the extension or reauthorization of TEA21.”.*

6 *SEC. 537. Funds apportioned to the Charleston Area*  
7 *Regional Transportation Authority to carry out section*  
8 *5307 of title 49, United States Code, may be used to lease*  
9 *land, equipment, or facilities used in public transportation*  
10 *from another governmental authority in the same geo-*  
11 *graphic area: Provided, That the non-Federal share under*  
12 *section 5307 may include revenues from the sale of adver-*  
13 *tising and concessions: Provided further, That this provi-*  
14 *sion shall remain in effect until September 30, 2004, or*  
15 *until the Federal interest in the land, equipment or facili-*  
16 *ties leased reaches 80 percent of its fair market value at*  
17 *disposition, whichever occurs first.*

18 *SEC. 538. Notwithstanding any other provision of law,*  
19 *funds designated to the Pennsylvania Cumberland/Dauphin*  
20 *County Corridor I project in committee reports accom-*  
21 *panying this Act may be available to the recipient for any*  
22 *project activities authorized under sections 5307 and 5309*  
23 *of title 49, United States Code.*

24 *SEC. 539. None of the funds appropriated or made*  
25 *available under this Act or any other appropriations Act*

1 *may be used to implement the proposed regulations of the*  
2 *Office of Personnel Management to add sections 300.311*  
3 *through 300.316 to part 300 of title 5 of the Code of Federal*  
4 *Regulations, published in the Federal Register, volume 68,*  
5 *number 174, on September 9, 2003 (relating to the detail*  
6 *of executive branch employees to the legislative branch). If*  
7 *such proposed regulations are final regulations on the date*  
8 *of enactment of this Act, none of the funds appropriated*  
9 *or made available under this Act may be used to implement,*  
10 *administer, or enforce such final regulations.*

11 *SEC. 540. JACKSON HOLE, WYOMING RADAR UNIT.*  
12 *Priority consideration shall be given to the Jackson Hole,*  
13 *Wyoming, Airport for an ASR-11 radar unit or provisions*  
14 *shall be made for the acquisition or transfer of a comparable*  
15 *radar unit.*

16 *SEC. 541. Within the funds provided for the Federal*  
17 *Aviation Administration's Facilities and Equipment ac-*  
18 *count, no less than \$14,000,000 shall be available for the*  
19 *Technical Center Facilities in New Jersey.*

20 *SEC. 542. To the extent that funds provided by the*  
21 *Congress for the Memphis Medical Center light rail exten-*  
22 *sion project through the Section 5309 "new fixed guideway*  
23 *systems" program remain available upon the closeout of the*  
24 *project, Federal Transit Administration is directed to per-*  
25 *mit the Memphis Area Transit Authority to use all of those*

1 *funds for planning, engineering, design, construction or ac-*  
2 *quisition projects pertaining to the Memphis Regional Rail*  
3 *Plan. Such funds shall remain available until expended.*

4 *SEC. 543. Section 30303(d)(3) of the Transportation*  
5 *Equity Act for the 21st Century (Public Law 105–178) is*  
6 *amended by inserting at the end:*

7 *“(D) Memphis-Shelby International Airport*  
8 *intermodal facility.”.*

9 *SEC. 544. Within available funds provided for “Facili-*  
10 *ties and equipment”, \$1,500,000 shall be provided for a pre-*  
11 *cision instrument approach landing system (ILS) at Lee*  
12 *Gilmer Memorial Airport, Gainesville, Georgia.*

13 *SEC. 545. (a) None of the funds appropriated by this*  
14 *Act may be used for converting to contractor performance*  
15 *an activity or function of an executive agency that, on or*  
16 *after the date of the enactment of this Act, is performed*  
17 *by executive agency employees unless the conversion is based*  
18 *on the results of a public-private competition process that*  
19 *requires a determination regarding whether, overall per-*  
20 *formance periods stated in the solicitation of offers for per-*  
21 *formance of the activity or function, the cost of performance*  
22 *of the activity or function by a contractor would be less*  
23 *costly to the executive agency by an amount that equals or*  
24 *exceeds the lesser of (1) 10 percent of the cost of performing*  
25 *the activity with government personnel or, if a more effi-*

1 *cient organization has been developed, 10 percent of the*  
2 *most efficient organization's personnel-related costs for per-*  
3 *formance of that activity or function by Federal employees,*  
4 *or (2) \$10,000,000.*

5 *(b) With respect to the use of any funds appropriated*  
6 *by this Act for the Department of Defense—*

7 *(1) subsections (a), (b), and (c) of section 2461*  
8 *of title 10, United States Code, do not apply with re-*  
9 *spect to the performance of a commercial or indus-*  
10 *trial type activity or function that—*

11 *(A) is on the procurement list established*  
12 *under section 2 of the Javits-Wagner-O'Day Act*  
13 *(41 U.S.C. 47); or*

14 *(B) is planned to be converted to perform-*  
15 *ance by—*

16 *(i) a qualified nonprofit agency for the*  
17 *blind or a qualified nonprofit agency for*  
18 *other severely handicapped (as such terms*  
19 *are defined in section 5 of such Act (41*  
20 *U.S.C. 48b); or*

21 *(ii) a commercial business at least 51*  
22 *percent of which is owned by an Indian*  
23 *tribe (as defined in section 4(e) of the In-*  
24 *Indian Self-Determination and Education As-*  
25 *sistance Act (25 U.S.C. 450b(e))) or a Na-*

1            *tive Hawaiian Organization (as defined in*  
2            *section 8(a)(15) of the Small Business Act*  
3            *(15 U.S.C. 637(a)(15))).*

4            *(2) Nothing in this section shall effect depot con-*  
5            *tracts or contracts for depot maintenance as provided*  
6            *in sections 2469 and 2474 of title 10, United States*  
7            *Code.*

8            *(3) The conversion of any activity or function of*  
9            *an executive agency in accordance with this section*  
10           *shall be credited toward any competitive or*  
11           *outsourcing goal, target or measurement that may be*  
12           *established by statute, regulation or policy and shall*  
13           *be deemed to be awarded under the authority of and*  
14           *in compliance with section 303 of the Federal Prop-*  
15           *erty and Administrative Services Act of 1949 (41*  
16           *U.S.C. 253) or section 2304 of title 10, United States*  
17           *Code, as the case may be, for the competition or*  
18           *outsourcing of commercial activities.*

19           *(c) In this section, the term “executive agency” has the*  
20           *meaning given such term in section 4 of the Office of Fed-*  
21           *eral Procurement Policy Act (41 U.S.C. 403).*

22           *(d) Nothing in this section shall be construed to effect,*  
23           *amend, or repeal section 8014 of the Defense Appropria-*  
24           *tions Act, 2004 (Public Law 108–87).*

1                    *TITLE VI—GENERAL PROVISIONS*2                    *DEPARTMENTS, AGENCIES, AND CORPORATIONS*

3                    *SEC. 601. Funds appropriated in this or any other Act*  
4 *may be used to pay travel to the United States for the im-*  
5 *mediate family of employees serving abroad in cases of*  
6 *death or life threatening illness of said employee.*

7                    *SEC. 602. No department, agency, or instrumentality*  
8 *of the United States receiving appropriated funds under*  
9 *this or any other Act for fiscal year 2004 shall obligate or*  
10 *expend any such funds, unless such department, agency, or*  
11 *instrumentality has in place, and will continue to admin-*  
12 *ister in good faith, a written policy designed to ensure that*  
13 *all of its workplaces are free from the illegal use, possession,*  
14 *or distribution of controlled substances (as defined in the*  
15 *Controlled Substances Act) by the officers and employees of*  
16 *such department, agency, or instrumentality.*

17                    *SEC. 603. Unless otherwise specifically provided, the*  
18 *maximum amount allowable during the current fiscal year*  
19 *in accordance with section 16 of the Act of August 2, 1946*  
20 *(60 Stat. 810), for the purchase of any passenger motor ve-*  
21 *hicle (exclusive of buses, ambulances, law enforcement, and*  
22 *undercover surveillance vehicles), is hereby fixed at \$8,100*  
23 *except station wagons for which the maximum shall be*  
24 *\$9,100: Provided, That these limits may be exceeded by not*  
25 *to exceed \$3,700 for police-type vehicles, and by not to ex-*

1 exceed \$4,000 for special heavy-duty vehicles: Provided fur-  
2 ther, That the limits set forth in this section may not be  
3 exceeded by more than 5 percent for electric or hybrid vehi-  
4 cles purchased for demonstration under the provisions of the  
5 *Electric and Hybrid Vehicle Research, Development, and*  
6 *Demonstration Act of 1976: Provided further, That the lim-*  
7 *its set forth in this section may be exceeded by the incre-*  
8 *mental cost of clean alternative fuels vehicles acquired pur-*  
9 *suant to Public Law 101-549 over the cost of comparable*  
10 *conventionally fueled vehicles.*

11       *SEC. 604. Appropriations of the executive departments*  
12 *and independent establishments for the current fiscal year*  
13 *available for expenses of travel, or for the expenses of the*  
14 *activity concerned, are hereby made available for quarters*  
15 *allowances and cost-of-living allowances, in accordance*  
16 *with 5 U.S.C. 5922-5924.*

17       *SEC. 605. Unless otherwise specified during the current*  
18 *fiscal year, no part of any appropriation contained in this*  
19 *or any other Act shall be used to pay the compensation of*  
20 *any officer or employee of the Government of the United*  
21 *States (including any agency the majority of the stock of*  
22 *which is owned by the Government of the United States)*  
23 *whose post of duty is in the continental United States un-*  
24 *less such person: (1) is a citizen of the United States; (2)*  
25 *is a person in the service of the United States on the date*

1 of the enactment of this Act who, being eligible for citizen-  
2 ship, has filed a declaration of intention to become a citizen  
3 of the United States prior to such date and is actually re-  
4 siding in the United States; (3) is a person who owes alle-  
5 giance to the United States; (4) is an alien from Cuba, Po-  
6 land, South Vietnam, the countries of the former Soviet  
7 Union, or the Baltic countries lawfully admitted to the  
8 United States for permanent residence; (5) is a South Viet-  
9 namese, Cambodian, or Laotian refugee paroled in the  
10 United States after January 1, 1975; or (6) is a national  
11 of the People's Republic of China who qualifies for adjust-  
12 ment of status pursuant to the Chinese Student Protection  
13 Act of 1992: Provided, That for the purpose of this section,  
14 an affidavit signed by any such person shall be considered  
15 prima facie evidence that the requirements of this section  
16 with respect to his or her status have been complied with:  
17 Provided further, That any person making a false affidavit  
18 shall be guilty of a felony, and, upon conviction, shall be  
19 fined no more than \$4,000 or imprisoned for not more than  
20 1 year, or both: Provided further, That the above penal  
21 clause shall be in addition to, and not in substitution for,  
22 any other provisions of existing law: Provided further, That  
23 any payment made to any officer or employee contrary to  
24 the provisions of this section shall be recoverable in action  
25 by the Federal Government. This section shall not apply



1 *to citizens of Ireland, Israel, or the Republic of the Phil-*  
2 *ippines, or to nationals of those countries allied with the*  
3 *United States in a current defense effort, or to international*  
4 *broadcasters employed by the United States Information*  
5 *Agency, or to temporary employment of translators, or to*  
6 *temporary employment in the field service (not to exceed*  
7 *60 days) as a result of emergencies.*

8       *SEC. 606. Appropriations available to any department*  
9 *or agency during the current fiscal year for necessary ex-*  
10 *penses, including maintenance or operating expenses, shall*  
11 *also be available for payment to the General Services Ad-*  
12 *ministration for charges for space and services and those*  
13 *expenses of renovation and alteration of buildings and fa-*  
14 *cilities which constitute public improvements performed in*  
15 *accordance with the Public Buildings Act of 1959 (73 Stat.*  
16 *749), the Public Buildings Amendments of 1972 (87 Stat.*  
17 *216), or other applicable law.*

18       *SEC. 607. In addition to funds provided in this or any*  
19 *other Act, all Federal agencies are authorized to receive and*  
20 *use funds resulting from the sale of materials, including*  
21 *Federal records disposed of pursuant to a records schedule*  
22 *recovered through recycling or waste prevention programs.*  
23 *Such funds shall be available until expended for the fol-*  
24 *lowing purposes:*

1           (1) *Acquisition, waste reduction and prevention,*  
2           *and recycling programs as described in Executive*  
3           *Order No. 13101 (September 14, 1998), including any*  
4           *such programs adopted prior to the effective date of*  
5           *the Executive order.*

6           (2) *Other Federal agency environmental manage-*  
7           *ment programs, including, but not limited to, the de-*  
8           *velopment and implementation of hazardous waste*  
9           *management and pollution prevention programs.*

10          (3) *Other employee programs as authorized by*  
11          *law or as deemed appropriate by the head of the Fed-*  
12          *eral agency.*

13          *SEC. 608. Funds made available by this or any other*  
14          *Act for administrative expenses in the current fiscal year*  
15          *of the corporations and agencies subject to chapter 91 of*  
16          *title 31, United States Code, shall be available, in addition*  
17          *to objects for which such funds are otherwise available, for*  
18          *rent in the District of Columbia; services in accordance*  
19          *with 5 U.S.C. 3109; and the objects specified under this*  
20          *head, all the provisions of which shall be applicable to the*  
21          *expenditure of such funds unless otherwise specified in the*  
22          *Act by which they are made available: Provided, That in*  
23          *the event any functions budgeted as administrative expenses*  
24          *are subsequently transferred to or paid from other funds,*

1 *the limitations on administrative expenses shall be cor-*  
2 *respondingly reduced.*

3       *SEC. 609. No part of any appropriation for the current*  
4 *fiscal year contained in this or any other Act shall be paid*  
5 *to any person for the filling of any position for which he*  
6 *or she has been nominated after the Senate has voted not*  
7 *to approve the nomination of said person.*

8       *SEC. 610. No part of any appropriation contained in*  
9 *this or any other Act shall be available for interagency fi-*  
10 *nancing of boards (except Federal Executive Boards), com-*  
11 *missions, councils, committees, or similar groups (whether*  
12 *or not they are interagency entities) which do not have a*  
13 *prior and specific statutory approval to receive financial*  
14 *support from more than one agency or instrumentality.*

15       *SEC. 611. Funds made available by this or any other*  
16 *Act to the Postal Service Fund (39 U.S.C. 2003) shall be*  
17 *available for employment of guards for all buildings and*  
18 *areas owned or occupied by the Postal Service and under*  
19 *the charge and control of the Postal Service, and such*  
20 *guards shall have, with respect to such property, the powers*  
21 *of special policemen provided by the first section of the Act*  
22 *of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318),*  
23 *and, as to property owned or occupied by the Postal Service,*  
24 *the Postmaster General may take the same actions as the*  
25 *Administrator of General Services may take under the pro-*

1 *visions of sections 2 and 3 of the Act of June 1, 1948, as*  
2 *amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attach-*  
3 *ing thereto penal consequences under the authority and*  
4 *within the limits provided in section 4 of the Act of June*  
5 *1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).*

6       *SEC. 612. None of the funds made available pursuant*  
7 *to the provisions of this Act shall be used to implement,*  
8 *administer, or enforce any regulation which has been dis-*  
9 *approved pursuant to a resolution of disapproval duly*  
10 *adopted in accordance with the applicable law of the United*  
11 *States.*

12       *SEC. 613. (a) Notwithstanding any other provision of*  
13 *law, and except as otherwise provided in this section, no*  
14 *part of any of the funds appropriated for fiscal year 2004,*  
15 *by this or any other Act, may be used to pay any prevailing*  
16 *rate employee described in section 5342(a)(2)(A) of title 5,*  
17 *United States Code—*

18           *(1) during the period from the date of expiration*  
19       *of the limitation imposed by the comparable section*  
20       *for previous fiscal years until the normal effective*  
21       *date of the applicable wage survey adjustment that is*  
22       *to take effect in fiscal year 2004, in an amount that*  
23       *exceeds the rate payable for the applicable grade and*  
24       *step of the applicable wage schedule in accordance*  
25       *with such section; and*

1           (2) *during the period consisting of the remainder*  
2 *of fiscal year 2004, in an amount that exceeds, as a*  
3 *result of a wage survey adjustment, the rate payable*  
4 *under paragraph (1) by more than the sum of—*

5                   (A) *the percentage adjustment taking effect*  
6 *in fiscal year 2004 under section 5303 of title 5,*  
7 *United States Code, in the rates of pay under the*  
8 *General Schedule; and*

9                   (B) *the difference between the overall aver-*  
10 *age percentage of the locality-based com-*  
11 *parability payments taking effect in fiscal year*  
12 *2004 under section 5304 of such title (whether by*  
13 *adjustment or otherwise), and the overall average*  
14 *percentage of such payments which was effective*  
15 *in the previous fiscal year under such section.*

16           (b) *Notwithstanding any other provision of law, no*  
17 *prevailing rate employee described in subparagraph (B) or*  
18 *(C) of section 5342(a)(2) of title 5, United States Code, and*  
19 *no employee covered by section 5348 of such title, may be*  
20 *paid during the periods for which subsection (a) is in effect*  
21 *at a rate that exceeds the rates that would be payable under*  
22 *subsection (a) were subsection (a) applicable to such em-*  
23 *ployee.*

24           (c) *For the purposes of this section, the rates payable*  
25 *to an employee who is covered by this section and who is*

1 *paid from a schedule not in existence on September 30,*  
2 *2003, shall be determined under regulations prescribed by*  
3 *the Office of Personnel Management.*

4 *(d) Notwithstanding any other provision of law, rates*  
5 *of premium pay for employees subject to this section may*  
6 *not be changed from the rates in effect on September 30,*  
7 *2003, except to the extent determined by the Office of Per-*  
8 *sonnel Management to be consistent with the purpose of this*  
9 *section.*

10 *(e) This section shall apply with respect to pay for*  
11 *service performed after September 30, 2003.*

12 *(f) For the purpose of administering any provision of*  
13 *law (including any rule or regulation that provides pre-*  
14 *mium pay, retirement, life insurance, or any other em-*  
15 *ployee benefit) that requires any deduction or contribution,*  
16 *or that imposes any requirement or limitation on the basis*  
17 *of a rate of salary or basic pay, the rate of salary or basic*  
18 *pay payable after the application of this section shall be*  
19 *treated as the rate of salary or basic pay.*

20 *(g) Nothing in this section shall be considered to per-*  
21 *mit or require the payment to any employee covered by this*  
22 *section at a rate in excess of the rate that would be payable*  
23 *were this section not in effect.*

24 *(h) The Office of Personnel Management may provide*  
25 *for exceptions to the limitations imposed by this section if*

1 *the Office determines that such exceptions are necessary to*  
2 *ensure the recruitment or retention of qualified employees.*

3       *SEC. 614. During the period in which the head of any*  
4 *department or agency, or any other officer or civilian em-*  
5 *ployee of the Government appointed by the President of the*  
6 *United States, holds office, no funds may be obligated or*  
7 *expended in excess of \$5,000 to furnish or redecorate the*  
8 *office of such department head, agency head, officer, or em-*  
9 *ployee, or to purchase furniture or make improvements for*  
10 *any such office, unless advance notice of such furnishing*  
11 *or redecoration is expressly approved by the Committees on*  
12 *Appropriations. For the purposes of this section, the term*  
13 *“office” shall include the entire suite of offices assigned to*  
14 *the individual, as well as any other space used primarily*  
15 *by the individual or the use of which is directly controlled*  
16 *by the individual.*

17       *SEC. 615. Notwithstanding section 1346 of title 31,*  
18 *United States Code, or section 610 of this Act, funds made*  
19 *available for the current fiscal year by this or any other*  
20 *Act shall be available for the interagency funding of na-*  
21 *tional security and emergency preparedness telecommuni-*  
22 *cations initiatives which benefit multiple Federal depart-*  
23 *ments, agencies, or entities, as provided by Executive Order*  
24 *No. 12472 (April 3, 1984).*

1        *SEC. 616. (a) None of the funds appropriated by this*  
2 *or any other Act may be obligated or expended by any Fed-*  
3 *eral department, agency, or other instrumentality for the*  
4 *salaries or expenses of any employee appointed to a position*  
5 *of a confidential or policy-determining character excepted*  
6 *from the competitive service pursuant to section 3302 of*  
7 *title 5, United States Code, without a certification to the*  
8 *Office of Personnel Management from the head of the Fed-*  
9 *eral department, agency, or other instrumentality employ-*  
10 *ing the Schedule C appointee that the Schedule C position*  
11 *was not created solely or primarily in order to detail the*  
12 *employee to the White House.*

13        *(b) The provisions of this section shall not apply to*  
14 *Federal employees or members of the armed services detailed*  
15 *to or from—*

16            *(1) the Central Intelligence Agency;*

17            *(2) the National Security Agency;*

18            *(3) the Defense Intelligence Agency;*

19            *(4) the offices within the Department of Defense*  
20 *for the collection of specialized national foreign intel-*  
21 *ligence through reconnaissance programs;*

22            *(5) the Bureau of Intelligence and Research of*  
23 *the Department of State;*

24            *(6) any agency, office, or unit of the Army,*  
25 *Navy, Air Force, and Marine Corps, the Department*



1        *of Homeland Security, the Federal Bureau of Inves-*  
2        *tigation and the Drug Enforcement Administration of*  
3        *the Department of Justice, the Department of Trans-*  
4        *portation, the Department of the Treasury, and the*  
5        *Department of Energy performing intelligence func-*  
6        *tions; and*

7                *(7) the Director of Central Intelligence.*

8        *SEC. 617. No department, agency, or instrumentality*  
9        *of the United States receiving appropriated funds under*  
10        *this or any other Act for the current fiscal year shall obli-*  
11        *gate or expend any such funds, unless such department,*  
12        *agency, or instrumentality has in place, and will continue*  
13        *to administer in good faith, a written policy designed to*  
14        *ensure that all of its workplaces are free from discrimina-*  
15        *tion and sexual harassment and that all of its workplaces*  
16        *are not in violation of title VII of the Civil Rights Act of*  
17        *1964, as amended, the Age Discrimination in Employment*  
18        *Act of 1967, and the Rehabilitation Act of 1973.*

19        *SEC. 618. No part of any appropriation contained in*  
20        *this or any other Act shall be available for the payment*  
21        *of the salary of any officer or employee of the Federal Gov-*  
22        *ernment, who—*

23                *(1) prohibits or prevents, or attempts or threat-*  
24        *ens to prohibit or prevent, any other officer or em-*  
25        *ployee of the Federal Government from having any*

1       *direct oral or written communication or contact with*  
2       *any Member, committee, or subcommittee of the Con-*  
3       *gress in connection with any matter pertaining to the*  
4       *employment of such other officer or employee or per-*  
5       *taining to the department or agency of such other of-*  
6       *ficer or employee in any way, irrespective of whether*  
7       *such communication or contact is at the initiative of*  
8       *such other officer or employee or in response to the re-*  
9       *quest or inquiry of such Member, committee, or sub-*  
10       *committee; or*

11               (2) *removes, suspends from duty without pay,*  
12       *demotes, reduces in rank, seniority, status, pay, or*  
13       *performance of efficiency rating, denies promotion to,*  
14       *relocates, reassigns, transfers, disciplines, or discrimi-*  
15       *nates in regard to any employment right, entitlement,*  
16       *or benefit, or any term or condition of employment of,*  
17       *any other officer or employee of the Federal Govern-*  
18       *ment, or attempts or threatens to commit any of the*  
19       *foregoing actions with respect to such other officer or*  
20       *employee, by reason of any communication or contact*  
21       *of such other officer or employee with any Member,*  
22       *committee, or subcommittee of the Congress as de-*  
23       *scribed in paragraph (1).*

1        *SEC. 619. (a) None of the funds made available in this*  
2 *or any other Act may be obligated or expended for any em-*  
3 *ployee training that—*

4            *(1) does not meet identified needs for knowledge,*  
5 *skills, and abilities bearing directly upon the perform-*  
6 *ance of official duties;*

7            *(2) contains elements likely to induce high levels*  
8 *of emotional response or psychological stress in some*  
9 *participants;*

10           *(3) does not require prior employee notification*  
11 *of the content and methods to be used in the training*  
12 *and written end of course evaluation;*

13           *(4) contains any methods or content associated*  
14 *with religious or quasi-religious belief systems or*  
15 *“new age” belief systems as defined in Equal Employ-*  
16 *ment Opportunity Commission Notice N-915.022,*  
17 *dated September 2, 1988; or*

18           *(5) is offensive to, or designed to change, partici-*  
19 *pants’ personal values or lifestyle outside the work-*  
20 *place.*

21        *(b) Nothing in this section shall prohibit, restrict, or*  
22 *otherwise preclude an agency from conducting training*  
23 *bearing directly upon the performance of official duties.*

24        *SEC. 620. No funds appropriated in this or any other*  
25 *Act may be used to implement or enforce the agreements*

1 *in Standard Forms 312 and 4414 of the Government or*  
2 *any other nondisclosure policy, form, or agreement if such*  
3 *policy, form, or agreement does not contain the following*  
4 *provisions: “These restrictions are consistent with and do*  
5 *not supersede, conflict with, or otherwise alter the employee*  
6 *obligations, rights, or liabilities created by Executive Order*  
7 *No. 12958; section 7211 of title 5, United States Code (gov-*  
8 *erning disclosures to Congress); section 1034 of title 10,*  
9 *United States Code, as amended by the Military Whistle-*  
10 *blower Protection Act (governing disclosure to Congress by*  
11 *members of the military); section 2302(b)(8) of title 5,*  
12 *United States Code, as amended by the Whistleblower Pro-*  
13 *tection Act (governing disclosures of illegality, waste, fraud,*  
14 *abuse or public health or safety threats); the Intelligence*  
15 *Identities Protection Act of 1982 (50 U.S.C. 421 et seq.)*  
16 *(governing disclosures that could expose confidential Gov-*  
17 *ernment agents); and the statutes which protect against dis-*  
18 *closure that may compromise the national security, includ-*  
19 *ing sections 641, 793, 794, 798, and 952 of title 18, United*  
20 *States Code, and section 4(b) of the Subversive Activities*  
21 *Act of 1950 (50 U.S.C. 783(b)). The definitions, require-*  
22 *ments, obligations, rights, sanctions, and liabilities created*  
23 *by said Executive order and listed statutes are incorporated*  
24 *into this agreement and are controlling.”: Provided, That*  
25 *notwithstanding the preceding paragraph, a nondisclosure*

1 *policy form or agreement that is to be executed by a person*  
2 *connected with the conduct of an intelligence or intelligence-*  
3 *related activity, other than an employee or officer of the*  
4 *United States Government, may contain provisions appro-*  
5 *priate to the particular activity for which such document*  
6 *is to be used. Such form or agreement shall, at a minimum,*  
7 *require that the person will not disclose any classified infor-*  
8 *mation received in the course of such activity unless specifi-*  
9 *cally authorized to do so by the United States Government.*  
10 *Such nondisclosure forms shall also make it clear that they*  
11 *do not bar disclosures to Congress or to an authorized offi-*  
12 *cial of an executive agency or the Department of Justice*  
13 *that are essential to reporting a substantial violation of*  
14 *law.*

15       *SEC. 621. No part of any funds appropriated in this*  
16 *or any other Act shall be used by an agency of the executive*  
17 *branch, other than for normal and recognized executive-leg-*  
18 *islative relationships, for publicity or propaganda pur-*  
19 *poses, and for the preparation, distribution or use of any*  
20 *kit, pamphlet, booklet, publication, radio, television or film*  
21 *presentation designed to support or defeat legislation pend-*  
22 *ing before the Congress, except in presentation to the Con-*  
23 *gress itself.*

24       *SEC. 622. None of the funds appropriated by this or*  
25 *any other Act may be used by an agency to provide a Fed-*

1 eral employee's home address to any labor organization ex-  
2 cept when the employee has authorized such disclosure or  
3 when such disclosure has been ordered by a court of com-  
4 petent jurisdiction.

5       *SEC. 623. None of the funds made available in this*  
6 *Act or any other Act may be used to provide any non-public*  
7 *information such as mailing or telephone lists to any per-*  
8 *son or any organization outside of the Federal Government*  
9 *without the approval of the Committees on Appropriations.*

10       *SEC. 624. No part of any appropriation contained in*  
11 *this or any other Act shall be used for publicity or propa-*  
12 *ganda purposes within the United States not heretofore au-*  
13 *thorized by the Congress.*

14       *SEC. 625. (a) In this section the term "agency"—*

15               *(1) means an Executive agency as defined under*  
16 *section 105 of title 5, United States Code;*

17               *(2) includes a military department as defined*  
18 *under section 102 of such title, the Postal Service, and*  
19 *the Postal Rate Commission; and*

20               *(3) shall not include the General Accounting Of-*  
21 *fice.*

22       *(b) Unless authorized in accordance with law or regu-*  
23 *lations to use such time for other purposes, an employee*  
24 *of an agency shall use official time in an honest effort to*  
25 *perform official duties. An employee not under a leave sys-*

1 *tem, including a Presidential appointee exempted under*  
2 *section 6301(2) of title 5, United States Code, has an obliga-*  
3 *tion to expend an honest effort and a reasonable proportion*  
4 *of such employee's time in the performance of official duties.*

5       *SEC. 626. Notwithstanding 31 U.S.C. 1346 and section*  
6 *610 of this Act, funds made available for the current fiscal*  
7 *year by this or any other Act to any department or agency,*  
8 *which is a member of the Joint Financial Management Im-*  
9 *provement Program (JFMIP), shall be available to finance*  
10 *an appropriate share of JFMIP administrative costs, as de-*  
11 *termined by the JFMIP, but not to exceed a total of*  
12 *\$800,000 including the salary of the Executive Director and*  
13 *staff support.*

14       *SEC. 627. Notwithstanding 31 U.S.C. 1346 and section*  
15 *610 of this Act, the head of each Executive department and*  
16 *agency is hereby authorized to transfer to or reimburse the*  
17 *"Policy and Citizen Services" account, General Services*  
18 *Administration, with the approval of the Director of the*  
19 *Office of Management and Budget, funds made available*  
20 *for the current fiscal year by this or any other Act, includ-*  
21 *ing rebates from charge card and other contracts. These*  
22 *funds shall be administered by the Administrator of General*  
23 *Services to support Government-wide financial, informa-*  
24 *tion technology, procurement, and other management inno-*  
25 *vations, initiatives, and activities, as approved by the Di-*

1 rector of the Office of Management and Budget, in consulta-  
2 tion with the appropriate interagency groups designated by  
3 the Director (including the Chief Financial Officers Council  
4 and the Joint Financial Management Improvement Pro-  
5 gram for financial management initiatives, the Chief Infor-  
6 mation Officers Council for information technology initia-  
7 tives, and the Procurement Executives Council for procure-  
8 ment initiatives). The total funds transferred or reimbursed  
9 shall not exceed \$12,250,000. Such transfers or reimburse-  
10 ments may only be made 15 days following notification of  
11 the Committees on Appropriations by the Director of the  
12 Office of Management and Budget.

13       SEC. 628. None of the funds made available in this  
14 or any other Act may be used by the Office of Personnel  
15 Management or any other department or agency of the Fed-  
16 eral Government to (a) operate an online employment infor-  
17 mation service for the Federal Government under any con-  
18 tract awarded under the request for quotations number  
19 SOLO30000003 issued by the Office of Personnel Manage-  
20 ment unless the Office of Personnel Management complies  
21 with the recommendations of the Comptroller General in the  
22 General Accounting Office decision of April 29, 2003, re-  
23 ferred to as *Symlicity Corporation*, B-291902; or (b) pro-  
24 hibit any agency from using appropriated funds as they  
25 see fit to independently contract with private companies to



1 *provide online employment applications and processing*  
2 *services.*

3 *SEC. 629. Notwithstanding any other provision of law,*  
4 *a woman may breastfeed her child at any location in a*  
5 *Federal building or on Federal property, if the woman and*  
6 *her child are otherwise authorized to be present at the loca-*  
7 *tion.*

8 *SEC. 630. Notwithstanding section 1346 of title 31,*  
9 *United States Code, or section 610 of this Act, funds made*  
10 *available for the current fiscal year by this or any other*  
11 *Act shall be available for the interagency funding of specific*  
12 *projects, workshops, studies, and similar efforts to carry out*  
13 *the purposes of the National Science and Technology Coun-*  
14 *cil (authorized by Executive Order No. 12881), which ben-*  
15 *efit multiple Federal departments, agencies, or entities:*  
16 *Provided, That the Office of Management and Budget shall*  
17 *provide a report describing the budget of and resources con-*  
18 *nected with the National Science and Technology Council*  
19 *to the Committees on Appropriations, the House Committee*  
20 *on Science; and the Senate Committee on Commerce,*  
21 *Science, and Transportation 90 days after enactment of this*  
22 *Act.*

23 *SEC. 631. Any request for proposals, solicitation, grant*  
24 *application, form, notification, press release, or other publi-*  
25 *cations involving the distribution of Federal funds shall in-*

1 *dicating the agency providing the funds, the Catalog of Fed-*  
2 *eral Domestic Assistance Number, as applicable, and the*  
3 *amount provided. This provision shall apply to direct pay-*  
4 *ments, formula funds, and grants received by a State receiv-*  
5 *ing Federal funds.*

6 *SEC. 632. Subsection (f) of section 403 of Public Law*  
7 *103–356 (31 U.S.C. 501 note) is amended by striking “Oc-*  
8 *tober 1, 2003” and inserting “October 1, 2004”.*

9 *SEC. 633. (a) PROHIBITION OF FEDERAL AGENCY*  
10 *MONITORING OF PERSONAL INFORMATION ON USE OF*  
11 *INTERNET.—None of the funds made available in this or*  
12 *any other Act may be used by any Federal agency—*

13 *(1) to collect, review, or create any aggregate list,*  
14 *derived from any means, that includes the collection*  
15 *of any personally identifiable information relating to*  
16 *an individual’s access to or use of any Federal Gov-*  
17 *ernment Internet site of the agency; or*

18 *(2) to enter into any agreement with a third*  
19 *party (including another government agency) to col-*  
20 *lect, review, or obtain any aggregate list, derived from*  
21 *any means, that includes the collection of any person-*  
22 *ally identifiable information relating to an individ-*  
23 *ual’s access to or use of any nongovernmental Internet*  
24 *site.*

1       (b) *EXCEPTIONS.*—*The limitations established in sub-*  
2 *section (a) shall not apply to—*

3           (1) *any record of aggregate data that does not*  
4 *identify particular persons;*

5           (2) *any voluntary submission of personally iden-*  
6 *tifiable information;*

7           (3) *any action taken for law enforcement, regu-*  
8 *latory, or supervisory purposes, in accordance with*  
9 *applicable law; or*

10          (4) *any action described in subsection (a)(1) that*  
11 *is a system security action taken by the operator of*  
12 *an Internet site and is necessarily incident to the ren-*  
13 *dition of the Internet site services or to the protection*  
14 *of the rights or property of the provider of the Inter-*  
15 *net site.*

16       (c) *DEFINITIONS.*—*For the purposes of this section:*

17           (1) *The term “regulatory” means agency actions*  
18 *to implement, interpret or enforce authorities pro-*  
19 *vided in law.*

20           (2) *The term “supervisory” means examinations*  
21 *of the agency’s supervised institutions, including as-*  
22 *sessing safety and soundness, overall financial condi-*  
23 *tion, management practices and policies and compli-*  
24 *ance with applicable standards as provided in law.*

1        *SEC. 634. (a) None of the funds appropriated by this*  
2 *Act may be used to enter into or renew a contract which*  
3 *includes a provision providing prescription drug coverage,*  
4 *except where the contract also includes a provision for con-*  
5 *traceptive coverage.*

6        *(b) Nothing in this section shall apply to a contract*  
7 *with—*

8            *(1) any of the following religious plans:*

9                    *(A) Personal Care’s HMO; and*

10                   *(B) OSF Health Plans, Inc.; and*

11            *(2) any existing or future plan, if the carrier for*  
12 *the plan objects to such coverage on the basis of reli-*  
13 *gious beliefs.*

14        *(c) In implementing this section, any plan that enters*  
15 *into or renews a contract under this section may not subject*  
16 *any individual to discrimination on the basis that the indi-*  
17 *vidual refuses to prescribe or otherwise provide for contra-*  
18 *ceptives because such activities would be contrary to the in-*  
19 *dividual’s religious beliefs or moral convictions.*

20        *(d) Nothing in this section shall be construed to require*  
21 *coverage of abortion or abortion-related services.*

22        *SEC. 635. The Congress of the United States recognizes*  
23 *the United States Anti-Doping Agency (USADA) as the of-*  
24 *ficial anti-doping agency for Olympic, Pan American, and*  
25 *Paralympic sport in the United States.*

1        *SEC. 636. (a) The adjustment in rates of basic pay*  
2 *for employees under the statutory pay systems that takes*  
3 *effect in fiscal year 2004 under sections 5303 and 5304 of*  
4 *title 5, United States Code, shall be an increase of 4.1 per-*  
5 *cent, and this adjustment shall apply to civilian employees*  
6 *in the Department of Defense and the Department of Home-*  
7 *land Security and such adjustments shall be effective as of*  
8 *the first day of the first applicable pay period beginning*  
9 *on or after January 1, 2004.*

10        *(b) Notwithstanding section 713 of this Act, the adjust-*  
11 *ment in rates of basic pay for the statutory pay systems*  
12 *that take place in fiscal year 2004 under sections 5344 and*  
13 *5348 of title 5, United States Code, shall be no less than*  
14 *the percentage in paragraph (a) as employees in the same*  
15 *location whose rates of basic pay are adjusted pursuant to*  
16 *the statutory pay systems under section 5303 and 5304 of*  
17 *title 5, United States Code. Prevailing rate employees at*  
18 *locations where there are no employees whose pay is in-*  
19 *creased pursuant to sections 5303 and 5304 of title 5 and*  
20 *prevailing rate employees described in section 5343(a)(5)*  
21 *of title 5 shall be considered to be located in the pay locality*  
22 *designated as “Rest of US” pursuant to section 5304 of title*  
23 *5 for purposes of this paragraph.*

24        *(c) Funds used to carry out this section shall be paid*  
25 *from appropriations, which are made to each applicable de-*

1 *partment or agency for salaries and expenses for fiscal year*  
2 *2004.*

3 *SEC. 637. Not later than 6 months after the date of*  
4 *enactment of this Act, the Inspector General of each appli-*  
5 *cable department or agency shall submit to the Committee*  
6 *on Appropriations a report detailing what policies and pro-*  
7 *cedures are in place for each department or agency to give*  
8 *first priority to the location of new offices and other facili-*  
9 *ties in rural areas, as directed by the Rural Development*  
10 *Act of 1972.*

11 *SEC. 638. None of the funds made available under this*  
12 *or any other Act for fiscal year 2004 shall be expended for*  
13 *the purchase of a product or service offered by Federal Pris-*  
14 *on Industries, Inc. unless the agency making such purchase*  
15 *determines that such offered product or service provides the*  
16 *best value to the buying agency pursuant to government-*  
17 *wide procurement regulations, issued pursuant to section*  
18 *25(c)(1) of the Office of Federal Procurement Act (41 U.S.C.*  
19 *421(c)(1)) that impose procedures, standards, and limita-*  
20 *tions of section 2410n of title 10, United States Code.*

21 *SEC. 639. Notwithstanding any other provision of law,*  
22 *funds appropriated for official travel by Federal depart-*  
23 *ments and agencies may be used by such departments and*  
24 *agencies, if consistent with Office of Management and*  
25 *Budget Circular A-126 regarding official travel for Govern-*

1 *ment personnel, to participate in the fractional aircraft*  
2 *ownership pilot program.*

3       *SEC. 640. Each Executive department and agency*  
4 *shall evaluate the creditworthiness of an individual before*  
5 *issuing the individual a government purchase charge card*  
6 *or government travel charge card. The department or agen-*  
7 *cy may not issue a government purchase charge card or*  
8 *government travel charge card to an individual that either*  
9 *lacks a credit history or is found to have an unsatisfactory*  
10 *credit history as a result of this evaluation: Provided, That*  
11 *this restriction shall not preclude issuance of a restricted-*  
12 *use charge, debit, or stored value card made in accordance*  
13 *with agency procedures to (a) an individual with an unsat-*  
14 *isfactory credit history where such card is used to pay trav-*  
15 *el expenses and the agency determines there is no suitable*  
16 *alternative payment mechanism available before issuing the*  
17 *card, or (b) an individual who lacks a credit history. Each*  
18 *Executive department and agency shall establish guidelines*  
19 *and procedures for disciplinary actions to be taken against*  
20 *agency personnel for improper, fraudulent, or abusive use*  
21 *of government charge cards, which shall include appro-*  
22 *priate disciplinary actions for use of charge cards for pur-*  
23 *poses, and at establishments, that are inconsistent with the*  
24 *official business of the Department or agency or with appli-*  
25 *cable standards of conduct. Disciplinary actions may in-*

1 *clude, but are not limited to, the review of the security clear-*  
2 *ance of the individual involved and the modification or rev-*  
3 *ocation of such security clearance in light of the review.*

4       *SEC. 641. Notwithstanding any other provision of law,*  
5 *no executive branch agency shall purchase, construct, and/*  
6 *or lease any additional facilities, except within or contig-*  
7 *uous to existing locations, to be used for the purpose of con-*  
8 *ducting Federal law enforcement training without the ad-*  
9 *vance approval of the Committees on Appropriations, ex-*  
10 *cept that the Federal Law Enforcement Training Center is*  
11 *authorized to obtain the temporary use of additional facili-*  
12 *ties by lease, contract, or other agreement for training*  
13 *which cannot be accommodated in existing Center facilities.*

14       *SEC. 642. Not later than December 31 of each year,*  
15 *the head of each agency shall submit to Congress a report*  
16 *on the competitive sourcing activities performed during the*  
17 *previous fiscal year by Federal Government sources that are*  
18 *on the list required under the Federal Activities Inventory*  
19 *Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501*  
20 *note). The report shall include—*

21               *(1) the number of full time equivalent Federal*  
22               *employees studied for competitive sourcing;*

23               *(2) the total agency cost required to carry out its*  
24               *competitive sourcing program;*



1           (3) *the costs attributable to paying outside con-*  
2           *sultants and contractors to carry out the agency's*  
3           *competitive sourcing program;*

4           (4) *the costs attributable to paying agency per-*  
5           *sonnel to carry out its competitive sourcing program;*  
6           *and*

7           (5) *an estimate of the savings attributed as a re-*  
8           *sult of the agency competitive sourcing program.*

9           SEC. 643. (a) *None of the funds made available in this*  
10          *Act may be used to administer or enforce part 515 of title*  
11          *31, Code of Federal Regulations (the Cuban Assets Control*  
12          *Regulations) with respect to any travel or travel-related*  
13          *transaction.*

14          (b) *The limitation established in subsection (a) shall*  
15          *not apply to the administration of general or specific li-*  
16          *censes for travel or travel-related transactions, shall not*  
17          *apply to section 515.204, 515.206, 515.332, 515.536,*  
18          *515.544, 515.547, 515.560(c)(3), 515.569, 515.571, or*  
19          *515.803 of such part 515, and shall not apply to trans-*  
20          *actions in relation to any business travel covered by section*  
21          *515.560(g) of such part 515.*

22          (c) *This section shall take effect one day after date of*  
23          *enactment.*

24          SEC. 644. (a) *Not later than December 31 of each year,*  
25          *the head of each executive agency shall submit to Congress*

1 *(instead of the report required by section 642) a report on*  
2 *the competitive sourcing activities on the list required under*  
3 *the Federal Activities Inventory Reform Act of 1998 (Public*  
4 *Law 105-270; 31 U.S.C. 501 note) that were performed for*  
5 *such executive agency during the previous fiscal year by*  
6 *Federal Government sources. The report shall include—*

7 *(1) the total number of competitions completed;*

8 *(2) the total number of competitions announced,*  
9 *together with a list of the activities covered by such*  
10 *competitions;*

11 *(3) the total number (expressed as a full-time*  
12 *employee equivalent number) of the Federal employees*  
13 *studied under completed competitions;*

14 *(4) the total number (expressed as a full-time*  
15 *employee equivalent number) of the Federal employees*  
16 *that are being studied under competitions announced*  
17 *but not completed;*

18 *(5) the incremental cost directly attributable to*  
19 *conducting the competitions identified under para-*  
20 *graphs (1) and (2), including costs attributable to*  
21 *paying outside consultants and contractors;*

22 *(6) an estimate of the total anticipated savings,*  
23 *or a quantifiable description of improvements in serv-*  
24 *ice or performance, derived from completed competi-*  
25 *tions;*

1           (7) *actual savings, or a quantifiable description*  
2           *of improvements in service or performance, derived*  
3           *from the implementation of competitions completed*  
4           *after May 29, 2003;*

5           (8) *the total projected number (expressed as a*  
6           *full-time employee equivalent number) of the Federal*  
7           *employees that are to be covered by competitions*  
8           *scheduled to be announced in the fiscal year covered*  
9           *by the next report required under this section; and*

10          (9) *a general description of how the competitive*  
11          *sourcing decisionmaking processes of the executive*  
12          *agency are aligned with the strategic workforce plan*  
13          *of that executive agency.*

14          (b) *The head of an executive agency may not be re-*  
15          *quired, under Office of Management and Budget Circular*  
16          *A-76 or any other policy, directive, or regulation, to con-*  
17          *duct a follow-on public-private competition to a prior pub-*  
18          *lic-private competition conducted under such circular with-*  
19          *in five years of the prior public-private competition if the*  
20          *activity or function covered by the prior public-private*  
21          *competition was performed by Federal Government employ-*  
22          *ees as a result of the prior public-private competition.*

23          (c) *Hereafter, the head of an executive agency may ex-*  
24          *pend funds appropriated or otherwise made available for*  
25          *any purpose to the executive agency under this or any other*

1 *Act to monitor (in the administration of responsibilities*  
2 *under Office of Management and Budget Circular A-76 or*  
3 *any related policy, directive, or regulation) the performance*  
4 *of an activity or function of the executive agency that has*  
5 *previously been subjected to a public-private competition*  
6 *under such circular.*

7 *(d) For the purposes of subchapter V of chapter 35 of*  
8 *title 31, United States Code—*

9 *(1) the person designated to represent employees*  
10 *of the Federal Government in a public-private com-*  
11 *petition regarding the performance of an executive*  
12 *agency activity or function under Office of Manage-*  
13 *ment and Budget Circular A-76—*

14 *(A) shall be treated as an interested party*  
15 *on behalf of such employees; and*

16 *(B) may submit a protest with respect to*  
17 *such public-private competition on behalf of such*  
18 *employees; and*

19 *(2) the Comptroller General shall dispose of such*  
20 *a protest in accordance with the policies and proce-*  
21 *dures applicable to protests described in section*  
22 *3551(1) of such title under the procurement protest*  
23 *system provided under such subchapter.*

24 *(e) An activity or function of an executive agency that*  
25 *is converted to contractor performance under Office of Man-*

1 *agement and Budget Circular A-76 may not be performed*  
2 *by the contractor at a location outside the United States*  
3 *except to the extent that such activity or function was pre-*  
4 *viously been performed by Federal Government employees*  
5 *outside the United States.*

6 *(f) The process that applies to the selection of architects*  
7 *and engineers for meeting the requirements of an executive*  
8 *agency for architectural and engineering services under*  
9 *chapter 11 of title 40, United States Code, shall apply to*  
10 *a public-private competition for the performance of archi-*  
11 *tectural and engineering services for an executive agency.*

12 *(g) In this section, the term “executive agency” has*  
13 *the meaning given such term in section 4 of the Office of*  
14 *Federal Procurement Policy Act (41 U.S.C. 403).*

15 *SEC. 645. MOTORIST INFORMATION CONCERNING*  
16 *PHARMACY SERVICES. (a) IN GENERAL.—Not later than*  
17 *180 days after the date of enactment of this Act, the Sec-*  
18 *retary of Transportation shall amend the Manual on Uni-*  
19 *form Traffic Control Devices to include a provision requir-*  
20 *ing that information be provided to motorists to assist mo-*  
21 *torists in locating licensed 24-hour pharmacy services open*  
22 *to the public.*

23 *(b) LOGO PANEL.—The provision under subsection (a)*  
24 *shall require placement of a logo panel that displays infor-*  
25 *mation disclosing the names or logos of pharmacies de-*

1 *scribed in subsection (a) that are located within 3 miles*  
2 *of an interchange on the Federal-aid system (as defined in*  
3 *section 101 of title 23, United States Code).*

4 *SEC. 646. (a) None of the funds appropriated or other-*  
5 *wise made available by this Act may be used to remove any*  
6 *area within a locality pay area established under section*  
7 *5304 of title 5, United States Code, from coverage under*  
8 *that locality pay area.*

9 *(b) Subsection (a) shall not apply to the Rest of U.S.*  
10 *locality pay area.*

11 *SEC. 647. Notwithstanding section 1346 of title 31,*  
12 *United States Code, and section 610 of this Act, the head*  
13 *of each executive department and agency shall transfer to*  
14 *or reimburse the Federal Aviation Administration, with the*  
15 *approval of the Director of the Office of Management and*  
16 *Budget, funds made available by this or any other Act for*  
17 *the purposes described below, and shall submit budget re-*  
18 *quests for such purposes. These funds shall be administered*  
19 *by the Federal Aviation Administration as approved by the*  
20 *Director of the Office of Management and Budget, in con-*  
21 *sultation with the appropriate interagency groups des-*  
22 *ignated by the Director to ensure the operation of the Mid-*  
23 *way Atoll Airfield by the Federal Aviation Administration*  
24 *pursuant to an operational agreement with the Department*  
25 *of the Interior. The total funds transferred or reimbursed*

1 *shall not exceed \$6,000,000 and shall not be available for*  
2 *activities other than the operation of the airfield. The Direc-*  
3 *tor of the Office of Management and Budget shall notify*  
4 *the Committees on Appropriations of such transfers or re-*  
5 *imbursements within 15 days of this Act. Such transfers*  
6 *or reimbursements shall begin within 30 days of enactment*  
7 *of this Act.*

8 *This Act may be cited as the “Transportation, Treas-*  
9 *ury, and General Government Appropriations Act, 2004”.*

Passed the House of Representatives September 9,  
2003.

Attest: JEFF TRANDAHL,  
*Clerk.*

Passed the Senate October 23, 2003.

Attest: EMILY J. REYNOLDS,  
*Secretary.*