

Calendar No. 59108TH CONGRESS
1ST SESSION**S. 762****[Report No. 108-33]**

Making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2003

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

A BILL

Making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2003, and for other pur-
6 poses, namely:

1 TITLE I—SUPPLEMENTAL APPROPRIATIONS

2 CHAPTER 1

3 AGRICULTURAL PROGRAMS

4 AGRICULTURAL RESEARCH SERVICE

5 BUILDINGS AND FACILITIES

6 For an additional amount for “Buildings and Facili-
7 ties”, \$98,000,000, to remain available until expended.

8 CHAPTER 2

9 DEPARTMENT OF JUSTICE

10 GENERAL ADMINISTRATION

11 COUNTERTERRORISM FUND

12 For an additional amount for necessary expenses, as
13 determined by the Attorney General, \$500,000,000, to re-
14 main available until December 31, 2003, to reimburse any
15 Department of Justice organization for: (1) the costs in-
16 curred in reestablishing the operational capability of an
17 office or facility which has been damaged or destroyed as
18 a result of any domestic or international terrorist incident;
19 and (2) the costs of providing support to counter, inves-
20 tigate or prosecute domestic or international terrorism, in-
21 cluding payment of rewards in connection with these ac-
22 tivities: *Provided*, That any Federal agency may be reim-
23 bursed for the costs of detaining in foreign countries indi-
24 viduals accused of acts of terrorism that violate the laws
25 of the United States: *Provided further*, That funds pro-

1 vided under this paragraph shall be available only after
2 the Attorney General notifies the Committees on Appro-
3 priations of the House of Representatives and the Senate
4 in accordance with section 605 of the Departments of
5 Commerce, Justice, and State, the Judiciary, and Related
6 Agencies Appropriations Act, 2003.

7 DEPARTMENT OF STATE

8 ADMINISTRATION OF FOREIGN AFFAIRS

9 DIPLOMATIC AND CONSULAR PROGRAMS

10 For an additional amount for “Diplomatic and Con-
11 sular Programs”, \$83,420,000: *Provided*, That
12 \$15,600,000, to remain available until December 31,
13 2003, shall only be available for medical services: *Provided*
14 *further*, That \$2,000,000 shall only be available for the
15 Consular Affairs requirements relating to American cit-
16 izen services: *Provided further*, That \$30,020,000 shall
17 only be available for Machine Readable Visa fee shortfalls
18 affecting the Border Security Program: *Provided further*,
19 That notwithstanding any other provision of law, any
20 shortfall in fee revenue resulting from a decrease in the
21 number of visa applications to the United States shall be
22 offset by a direct transfer of funds equal to the amount
23 of the shortfall from the Diplomatic and Consular Pro-
24 grams general account to the Appropriations Point
25 Deliminator Account Number X0113.6: *Provided further*,

1 That \$35,800,000 shall only be available for costs associ-
2 ated with the re-establishment of a United States diplo-
3 matic presence in Baghdad, Iraq, of which \$17,900,000
4 is for operational requirements, including housing, fur-
5 niture, sundries, travel, vehicles, and office supplies and
6 furnishings, and \$17,900,000 is for security, of which
7 \$5,300,000 is for information technology, \$1,945,000 is
8 for courier shipments, \$3,789,000 is for temporary duty
9 assignments, and \$2,503,000 is for armored vehicles,
10 spares, and repairs.

11 In addition, for the costs of worldwide security up-
12 grades, including increased local guard protection, chem-
13 ical and biological countermeasures, requirements relating
14 to intelligence, the assignment of temporary personnel to
15 United States diplomatic presences, armored vehicles, and
16 the security of the domestic facilities of the Department
17 of State, \$10,000,000, to remain available until December
18 31, 2003.

19 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

20 For an additional amount for “Embassy Security,
21 Construction, and Maintenance”, \$72,000,000: *Provided*,
22 That of the funds appropriated under this heading,
23 \$20,000,000 shall only be available for capital costs asso-
24 ciated with the re-establishment of a United States Diplo-
25 matic presence in Baghdad, Iraq: *Provided further*, That
26 of the funds appropriated under this heading, not less

1 than \$52,000,000 shall be available for the Center for
2 Antiterrorism and Security Training.

3 In addition, for security enhancements to non-official
4 facilities frequented by United States citizens overseas, in-
5 cluding schools attended by the dependents of non-military
6 United States Government personnel, \$10,000,000, to re-
7 main available until September 30, 2004.

8 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
9 SERVICE

10 For an additional amount for “Emergencies in the
11 Diplomatic and Consular Service”, \$40,000,000, to re-
12 main available until expended: *Provided*, That the Sec-
13 retary of State may collect from the head of any other
14 agency of the United States the cost incurred by the De-
15 partment of State for evacuating an employee of such
16 agency, and any member of the family of such an em-
17 ployee, from a location in a foreign country where the em-
18 ployee is authorized to be in connection with the perform-
19 ance of the employee’s official duties: *Provided further*,
20 That the head of an agency shall pay the Secretary of
21 State the amount certified by the Secretary as the cost
22 of evacuation of that agency’s personnel: *Provided further*,
23 That amounts collected by the Secretary of State under
24 the previous two provisos shall be credited to the appro-
25 priation charged such cost, shall be merged with other
26 sums in such appropriation, and shall be available for the

1 same purposes and period as the appropriation to which
2 credited within 60 days of certification by the Secretary
3 of State.

4 RELATED AGENCY

5 BROADCASTING BOARD OF GOVERNORS

6 INTERNATIONAL BROADCASTING OPERATIONS

7 For an additional amount for “International Broad-
8 casting Operations”, \$62,000,000, to remain available
9 until September 30, 2004, for activities related to the Mid-
10 dle East Television Network broadcasting and radio
11 broadcasting to Iraq.

12 CHAPTER 3

13 DEPARTMENT OF DEFENSE

14 MILITARY PERSONNEL

15 MILITARY PERSONNEL, ARMY

16 For an additional amount for “Military Personnel,
17 Army”, \$7,724,500,000.

18 MILITARY PERSONNEL, NAVY

19 For an additional amount for “Military Personnel,
20 Navy”, \$1,784,300,000.

21 MILITARY PERSONNEL, MARINE CORPS

22 For an additional amount for “Military Personnel,
23 Marine Corps”, \$1,254,900,000.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$2,834,800,000.

4 RESERVE PERSONNEL, ARMY

5 For an additional amount for “Reserve Personnel,
6 Army”, \$6,000,000.

7 NATIONAL GUARD PERSONNEL, ARMY

8 For an additional amount for “National Guard Per-
9 sonnel, Army”, \$110,000,000.

10 OPERATION AND MAINTENANCE

11 OPERATION AND MAINTENANCE, ARMY

12 For an additional amount for “Operation and Main-
13 tenance, Army”, \$16,142,500,000.

14 OPERATION AND MAINTENANCE, NAVY

15 For an additional amount for “Operation and Main-
16 tenance, Navy”, \$5,296,600,000.

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 For an additional amount for “Operation and Main-
19 tenance, Marine Corps”, \$1,752,700,000.

20 OPERATION AND MAINTENANCE, AIR FORCE

21 For an additional amount for “Operation and Main-
22 tenance, Air Force”, \$7,209,200,000.

23 OPERATION AND MAINTENANCE, DEFENSE-WIDE

24 For an additional amount for “Operation and Main-
25 tenance, Defense-Wide”, \$4,007,700,000, to remain avail-

1 able until expended, of which \$1,400,000,000, which may
2 be used, notwithstanding any other provision of law, for
3 payments to reimburse Pakistan, Jordan, and other key
4 cooperating nations, for logistical and military-related
5 support provided to the United States in connection with
6 military action in Iraq and the global war on terrorism:
7 *Provided*, That such payments may be made in such
8 amounts as the Secretary of Defense, with concurrence of
9 the Secretary of State and in consultation with the Direc-
10 tor of the Office of Management and Budget, may deter-
11 mine, in his discretion, based on documentation deter-
12 mined by the Secretary of Defense to adequately account
13 for the support provided, and such determination is final
14 and conclusive upon the accounting officers of the United
15 States and 15 days following notification to the appro-
16 priate congressional committees.

17 OPERATION AND MAINTENANCE, NAVY RESERVE

18 For an additional amount for “Operation and Main-
19 tenance, Navy Reserve”, \$15,000,000.

20 OPERATION AND MAINTENANCE, MARINE CORPS

21 RESERVE

22 For an additional amount for “Operation and Main-
23 tenance, Marine Corps Reserve”, \$50,000,000.

1 OPERATION AND MAINTENANCE, ARMY NATIONAL
2 GUARD

3 For an additional amount for “Operation and Main-
4 tenance, Army National Guard”, \$88,400,000.

5 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

6 For an additional amount for “Operation and Main-
7 tenance, Air National Guard”, \$20,000,000.

8 NATURAL RESOURCES RISK REMEDIATION FUND
9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary to address emergency fire
11 fighting, repair of damage to oil facilities and related in-
12 frastructure and preserve a distribution capability,
13 \$489,300,000, to remain available until expended: *Pro-*
14 *vided*, That the Secretary of Defense may accept from any
15 person, foreign government, or international organization,
16 and credit to this fund, any contribution of money for such
17 purposes: *Provided further*, That the Secretary of Defense
18 may transfer these funds to other appropriations or funds
19 of the Department of Defense to carry out such purposes,
20 or to reimburse such appropriations or funds for expenses
21 incurred for such purposes: *Provided further*, That funds
22 so transferred shall be merged with and shall be available
23 for the same purposes and for the same time period as
24 the appropriation or fund to which transferred: *Provided*
25 *further*, That the Secretary of Defense shall submit a re-

1 port no later than 30 days after the end of each fiscal
 2 quarter to the congressional defense committees of any
 3 transfer of funds from this appropriation: *Provided fur-*
 4 *ther,* That the transfer authority provided in this para-
 5 graph is in addition to any other transfer authority avail-
 6 able to the Department of Defense: *Provided further,* That
 7 upon a determination that all or part of the funds trans-
 8 ferred from this appropriation are not necessary for the
 9 purposes provided, such amounts may be transferred back
 10 to this appropriation.

11 PROCUREMENT

12 AIRCRAFT PROCUREMENT, ARMY

13 For an additional amount for “Aircraft Procurement,
 14 Army”, \$4,100,000.

15 MISSILE PROCUREMENT, ARMY

16 For an additional amount for “Missile Procurement,
 17 Army”, \$3,100,000.

18 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

19 VEHICLES, ARMY

20 For an additional amount for “Procurement of Weap-
 21 ons and Tracked Combat Vehicles, Army”, \$53,300,000.

22 PROCUREMENT OF AMMUNITION, ARMY

23 For an additional amount for “Procurement of Am-
 24 muniton, Army”, \$447,500,000.

1 OTHER PROCUREMENT, ARMY

2 For an additional amount for “Other Procurement,
3 Army”, \$241,800,000.

4 OTHER PROCUREMENT, AIR FORCE

5 For an additional amount for “Other Procurement,
6 Air Force”, \$113,600,000.

7 PROCUREMENT, DEFENSE-WIDE

8 For an additional amount for “Procurement, De-
9 fense-Wide”, \$451,000,000.

10 RESEARCH, DEVELOPMENT, TEST AND

11 EVALUATION

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

13 ARMY

14 For an additional amount for “Research, Develop-
15 ment, Test and Evaluation, Army”, \$11,500,000.

16 REVOLVING AND MANAGEMENT FUNDS

17 DEFENSE WORKING CAPITAL FUNDS

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Defense Working
20 Capital Funds”, \$550,000,000.

21 OTHER DEPARTMENT OF DEFENSE PROGRAMS

22 DEFENSE HEALTH PROGRAM

23 For an additional amount for “Defense Health Pro-
24 gram”, \$501,700,000.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE

3 For an additional amount for “Drug Interdiction and
4 Counter-Drug Activities, Defense”, \$34,000,000.

5 DEFENSE EMERGENCY RESPONSE FUND
6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “Defense Emergency
8 Response Fund”, \$11,019,000,000, to remain available
9 until expended, of which not to exceed \$50,000,000, to
10 remain available until September 30, 2003, to support the
11 military operations or activities of foreign nations in fur-
12 therance of the global war on terrorism, including equip-
13 ment, supplies, services, and funding on such terms as the
14 Secretary of Defense, following notification of the congres-
15 sional defense committees, and with the concurrence of the
16 Secretary of State, may determine: *Provided*, That the
17 Secretary of Defense may transfer the funds provided
18 herein to appropriations for military personnel; operation
19 and maintenance; Overseas Humanitarian, Disaster As-
20 sistance, and Civic Aid; procurement; research, develop-
21 ment, test and evaluation; military construction; the De-
22 fense Health Program; and working capital funds: *Pro-*
23 *vided further*, That the funds transferred shall be merged
24 with and shall be available for the same purposes and for
25 the same time period, as the appropriation to which trans-

1 ferred: *Provided further*, That the transfer authority pro-
 2 vided in this paragraph is in addition to any other transfer
 3 authority available to the Department of Defense: *Pro-*
 4 *vided further*, That the Secretary of Defense shall submit
 5 a report no later than 30 days after the end of each fiscal
 6 quarter to the Defense Oversight Committees of the de-
 7 tails of any transfer of funds from the “Defense Emer-
 8 gency Response Fund”: *Provided further*, That upon a de-
 9 termination that all or part of the funds transferred from
 10 this appropriation are not necessary for the purposes pro-
 11 vided herein, such amounts may be transferred back to
 12 this appropriation.

13 GENERAL PROVISIONS, THIS CHAPTER

14 SEC. 301. Under the heading, “Operation and Main-
 15 tenance, Defense-Wide”, in title II of the Department of
 16 Defense Appropriations Act, 2003 (Public Law 107–248),
 17 strike “\$25,000,000” and insert “\$50,000,000”. Section
 18 166a of title 10, United States Code, is amended by strik-
 19 ing “\$7,000,000” in subsection (e)(1)(A) and inserting
 20 “\$15,000,000”; by striking “\$1,000,000” in subsection
 21 (e)(1)(B) and inserting “\$10,000,000”; and by striking
 22 “\$2,000,000” in subsection (e)(1)(C) and inserting
 23 “\$10,000,000”.

24 SEC. 302. Under the heading, “Operation and Main-
 25 tenance, Defense-Wide”, in title II of the Department of

1 Defense Appropriations Act, 2003 (Public Law 107–248),
2 strike “\$34,500,000” and insert “\$45,000,000”.

3 (TRANSFER OF FUNDS)

4 SEC. 303. Section 8005 of the Department of De-
5 fense Appropriations Act, 2003 (Public Law 107–248), is
6 amended—

7 (1) by striking “\$2,000,000,000”, and inserting
8 “\$3,500,000,000”; and

9 (2) by striking the date “May 31, 2003”, and
10 inserting “June 30, 2003”.

11 (TRANSFER OF FUNDS)

12 SEC. 304. In addition to amounts made available else-
13 where in this Act for the Department of Defense,
14 \$165,000,000 is appropriated to the Department of De-
15 fense to reimburse applicable appropriations for the value
16 of drawdown support provided by the Department of De-
17 fense under the Afghanistan Freedom Support Act of
18 2002: *Provided*, That this appropriation shall not increase
19 the limitation set forth in section 202(b) of that Act: *Pro-*
20 *vided further*, That the Secretary of Defense may transfer
21 the funds provided herein to the applicable appropriations
22 of the Department of Defense: *Provided further*, That the
23 funds transferred shall be merged with and shall be avail-
24 able for the same purposes and for the same time period
25 as the appropriation to which transferred: *Provided fur-*
26 *ther*, That the transfer authority provided in this section

1 is in addition to any other transfer authority available to
2 the Department of Defense.

3 SEC. 305. Funds appropriated in this Act, or made
4 available by the transfer of funds in or pursuant to this
5 Act, for intelligence activities are deemed to be specifically
6 authorized by the Congress for purposes of section 504
7 of the National Security Act of 1947 (50 U.S.C. 414).

8 (TRANSFER OF FUNDS)

9 SEC. 306. Of the amounts available to the Depart-
10 ment of Defense, \$63,500,000 may be used to reimburse
11 applicable appropriations for the value of support provided
12 by the Department of Defense under the Iraq Liberation
13 Act of 1998: *Provided*, That this appropriation shall not
14 increase the limitation set forth in section (4)(a)(2)(B) of
15 that Act: *Provided further*, That the Secretary of Defense
16 may transfer the funds provided herein to the applicable
17 appropriations of the Department of Defense: *Provided*
18 *further*, That the funds transferred shall be merged with
19 and shall be available for the same purposes and for the
20 same time period as the appropriation to which trans-
21 ferred: *Provided further*, That the transfer authority pro-
22 vided in this section is in addition to any other transfer
23 authority available to the Department of Defense.

24 SEC. 307. EXPANDED USE OF COOPERATIVE
25 THREAT REDUCTION FUNDS. (a) IN GENERAL.—

1 (1) Notwithstanding any other provision of law,
2 during fiscal year 2003 the President may use Coop-
3 erative Threat Reduction funds, including Coopera-
4 tive Threat Reduction funds for a prior fiscal year
5 that remain available for obligation as of the date of
6 the enactment of this Act, for proliferation threat re-
7 duction projects and activities outside the states of
8 the former Soviet Union if the President determines
9 that such projects and activities will:

10 (A) assist the United States in the resolu-
11 tion of critical emerging proliferation threats; or

12 (B) permit the United States to take ad-
13 vantage of opportunities to achieve long-stand-
14 ing nonproliferation goals.

15 (2) The amount that may be obligated under
16 paragraph (1) in each fiscal year for projects and
17 activities described in that paragraph may not ex-
18 ceed \$50,000,000.

19 (b) AUTHORIZED USES OF FUNDS.—The authority
20 under subsection (a) to use Cooperative Threat Reduction
21 funds for a project or activity includes authority to provide
22 equipment, goods, and services for the project or activity,
23 and shall be subject to 22 U.S.C. Sec. 5955.

24 SEC. 308. None of the funds provided in this Act may
25 be used to fund a program previously prohibited by the

1 Congress, or to initiate a new procurement or research,
2 development, test and evaluation program without prior
3 notification of the congressional defense committees.

4 SEC. 309. The Secretary of Defense shall notify the
5 congressional defense committees no later than 15 days
6 after the obligation of funds appropriated in this Act for
7 military construction activities or minor construction in
8 excess of \$7,500,000.

9 SEC. 310. From funds appropriated in the Depart-
10 ment of Defense Appropriations Act, 2003, Public Law
11 107–248, under the heading “Operation and Maintenance,
12 Air Force”, not more than \$6,800,000 is available to build
13 and install fiber optic and power improvements and up-
14 grades at the 11th Air Force Range.

15 SEC. 311. Section 811(b) of the Bob Stump National
16 Defense Authorization Act for Fiscal Year 2003 (Public
17 Law 107–314; 116 Stat. 2608; 10 U.S.C. 2406c note) is
18 amended by striking “on or after the date of the enact-
19 ment of this Act” and inserting “on or after January 1,
20 2004”.

21 SEC. 312. From funds appropriated in the Depart-
22 ment of Defense Appropriations Act, 2003, Public Law
23 107–248, under the heading “Operation and Maintenance,
24 Army National Guard”, not more than \$3,000,000 is

1 available to build an Infantry Brigade Rifle Range for the
2 South Carolina National Guard.

3 SEC. 313. Appropriations available during fiscal year
4 2003 under the heading “Operation and Maintenance,
5 Army” for the Air Battle Captain program at the Univer-
6 sity of North Dakota, may be used to provide summer
7 flight training to United States Military Academy cadets.

8 CHAPTER 4

9 DEPARTMENT OF DEFENSE—CIVIL

10 DEPARTMENT OF THE ARMY

11 CORPS OF ENGINEERS—CIVIL

12 OPERATIONS AND MAINTENANCE, GENERAL

13 For an additional amount for homeland security ex-
14 penses, for “Operations and Maintenance, General”,
15 \$29,000,000, to remain available until expended.

16 DEPARTMENT OF THE INTERIOR

17 BUREAU OF RECLAMATION

18 WATER AND RELATED RESOURCES

19 For an additional amount for homeland security ex-
20 penses, for “Water and Related Resources”, \$25,000,000,
21 to remain available until expended.

1 DEPARTMENT OF ENERGY

2 ENERGY PROGRAMS

3 SCIENCE

4 For an additional amount for “Science”, \$1,000,000,
5 to remain available until expended, for increased safe-
6 guards and security of nuclear and other facilities.

7 ATOMIC ENERGY DEFENSE ACTIVITIES

8 NATIONAL NUCLEAR SECURITY ADMINISTRATION

9 WEAPONS ACTIVITIES

10 For an additional amount for “Weapons Activities”,
11 \$19,000,000, to remain available until expended, for in-
12 creased safeguards and security for the Nation’s nuclear
13 weapons complex.

14 DEFENSE NUCLEAR NONPROLIFERATION

15 For an additional amount for “Defense Nuclear Non-
16 proliferation”, \$55,000,000, to remain available until ex-
17 pended.

18 ENVIRONMENTAL AND OTHER DEFENSE

19 ACTIVITIES

20 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE

21 MANAGEMENT

22 For an additional amount for “Defense Environ-
23 mental Restoration and Waste Management”, \$6,000,000,
24 to remain available until expended, for increased safe-
25 guards and security of nuclear and other facilities.

1 OTHER DEFENSE ACTIVITIES

2 For an additional amount for “Other Defense Activi-
3 ties”, \$18,000,000, to remain available until expended, for
4 increased safeguards and security of Department of En-
5 ergy facilities and personnel, including intelligence and
6 counterintelligence activities: *Provided*, That this amount
7 shall be available for transfer to other accounts within the
8 Department of Energy for other expenses necessary to
9 support elevated security conditions 15 days after a notifi-
10 cation to the Congress of the proposed transfers.

11 CHAPTER 5

12 BILATERAL ECONOMIC ASSISTANCE

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 UNITED STATES AGENCY FOR INTERNATIONAL

15 DEVELOPMENT

16 CHILD SURVIVAL AND HEALTH PROGRAMS FUNDS

17 For an additional amount for “Child Survival and
18 Health Programs Fund”, \$90,000,000.

19 INTERNATIONAL DISASTER ASSISTANCE

20 For an additional amount for “International Disaster
21 Assistance”, \$112,500,000: *Provided*, That amounts made
22 available pursuant to section 492(b) of the Foreign Assist-
23 ance Act of 1961 for the purpose of addressing relief and
24 rehabilitation needs in Iraq, prior to enactment of this
25 Act, shall be in addition to the amount that may be obli-
26 gated in any fiscal year under that section.

LOAN GUARANTEES TO ISRAEL

1
2 During the period beginning March 1, 2003 and end-
3 ing September 30, 2005, loan guarantees may be made
4 available to Israel, guaranteeing 100 percent of the prin-
5 cipal and interest on such loans, any part of which is to
6 be guaranteed, not to exceed \$9,000,000,000: *Provided,*
7 That guarantees may be issued under this section only to
8 support activities in the geographic areas which were sub-
9 ject to the administration of the Government of Israel be-
10 fore June 5, 1967: *Provided further,* That the amount of
11 guarantees that may be issued shall be reduced by an
12 amount equal to the amount extended or estimated to have
13 been extended by the Government of Israel during the pe-
14 riod from March 1, 2003 to the date of issue of the guar-
15 antee, for activities which the President determines are in-
16 consistent with the objectives and understandings reached
17 between the United States and the Government of Israel
18 regarding the implementation of the loan guarantee pro-
19 gram: *Provided further,* That no appropriations are avail-
20 able under this heading for the subsidy costs for these loan
21 guarantees: *Provided further,* That the Government of
22 Israel will pay the cost, as defined in section 502 of the
23 Federal Credit Reform Act of 1990, as amended, including
24 any non-payment exposure risk, associated with the loan
25 guarantees issued in any fiscal year on a pro rata basis

1 as each guarantee is issued during that year: *Provided fur-*
2 *ther*, That all fees associated with the loan guarantees
3 shall be paid by the Government of Israel to the Govern-
4 ment of the United States: *Provided further*, That funds
5 made available for assistance to Israel under chapter 4
6 of part II of the Foreign Assistance Act of 1961, as
7 amended, may be utilized by the Government of Israel to
8 pay such fees to the United States Government: *Provided*
9 *further*, That such guarantees shall constitute obligations,
10 in accordance with the terms of such guarantees, of the
11 United States and the full faith and credit of the United
12 States is hereby pledged for the full payment and perform-
13 ance of such obligations: *Provided further*, That if less
14 than the full amount of guarantees authorized to be made
15 available is issued prior to September 30, 2005, the au-
16 thority to issue the balance of such guarantees shall ex-
17 tend to the subsequent fiscal year: *Provided further*, That
18 the President shall determine the terms and conditions for
19 issuing guarantees, taking into consideration the budg-
20 etary and economic reforms undertaken by Israel: *Pro-*
21 *vided further*, That if the President determines that these
22 terms and conditions have been breached, the President
23 may suspend or terminate the provision of all or part of
24 the loan guarantees not yet issued under this section.

1 OPERATING EXPENSES OF THE UNITED STATES AGENCY
2 FOR INTERNATIONAL DEVELOPMENT

3 For an additional amount for “Operating Expenses
4 of the United States Agency for International Develop-
5 ment”, \$23,600,000, of which not more than \$2,000,000
6 may be transferred to and merged with “Operating Ex-
7 penses of the United States Agency for International De-
8 velopment Office of Inspector General”.

9 OTHER BILATERAL ECONOMIC ASSISTANCE
10 ECONOMIC SUPPORT FUND

11 For an additional amount for “Economic Support
12 Fund”, \$2,357,900,000, of which the amounts specified
13 herein shall be available as follows:

14 (1) \$300,000,000, to remain available until
15 September 30, 2005, only for grants for Egypt: *Pro-*
16 *vided*, That during the period beginning March 1,
17 2003 and ending September 30, 2005, loan guaran-
18 tees may be made to Egypt, the principal amount,
19 any part of which is to be guaranteed, shall not ex-
20 ceed \$2,000,000,000: *Provided further*, That up to
21 \$379,600,000 in funds appropriated under this
22 heading in prior foreign operations, export financing,
23 and related programs appropriations Acts for Egypt,
24 including funds provided as Commodity Import Pro-

1 gram assistance, may be made available on a grant
2 basis as a cash transfer.

3 (2) \$1,000,000,000 to remain available until
4 September 30, 2005, only for grants for Turkey:
5 *Provided*, That during the period beginning March
6 1, 2003 and ending September 30, 2005, direct
7 loans or loan guarantees may be made to Turkey,
8 the principal amount of direct loans or loans, any
9 part of which is to be guaranteed, shall not exceed
10 \$8,500,000,000: *Provided further*, That none of the
11 funds made available under this heading for Turkey
12 may be made available if Turkey unilaterally deploys
13 troops into northern Iraq during Operation Iraqi
14 Freedom: *Provided further*, That the Secretary of
15 State may waive the requirement of the previous
16 proviso if he determines that to do so is in the na-
17 tional security interest of the United States: *Pro-*
18 *vided further*, That any balance of funds not made
19 available to Turkey under this paragraph shall be
20 transferred to, and merged with, funds appropriated
21 for “Iraq Relief and Reconstruction Fund”.

22 (3) The Government of Egypt and the Govern-
23 ment of Turkey will pay the cost, as defined in sec-
24 tion 502 of the Federal Credit Reform Act of 1990,
25 as amended, including any non-payment exposure

1 risk, associated with these loan guarantees: *Provided*
2 *further*, That all fees associated with these loan
3 guarantees or loans shall be paid by the Government
4 of Egypt and the Government of Turkey to the Gov-
5 ernment of the United States: *Provided further*, That
6 funds made available for assistance for Egypt and
7 Turkey under chapter 4 of Part II of the Foreign
8 Assistance Act of 1961, as amended, may be utilized
9 by the Government of Egypt and the Government of
10 Turkey to pay such fees and costs to the United
11 States Government: *Provided further*, That such
12 guarantees shall constitute obligations, in accordance
13 with the terms of such guarantees, of the United
14 States and the full faith and credit of the United
15 States is hereby pledged for the full payment and
16 performance of such obligations: *Provided further*,
17 That the President shall determine the terms and
18 conditions for providing the economic assistance au-
19 thorized in paragraphs (1) and (2): *Provided further*,
20 That if the President determines that these terms
21 and conditions have been breached, the President
22 may suspend or terminate the provision of all or
23 part of such economic assistance not yet outlayed
24 under this heading, and shall transfer, and merge,

1 such economic assistance with the “Iraq Relief and
2 Reconstruction Fund”.

3 (4) \$700,000,000 for assistance for Jordan.

4 (5) Not less than \$50,000,000 for assistance
5 for the Philippines to further prospects for peace in
6 Mindanao.

7 UNITED STATES EMERGENCY FUND FOR COMPLEX

8 FOREIGN CRISES

9 For necessary expenses to enable the President to re-
10 spond to unforeseen complex foreign crises, \$150,000,000,
11 to remain available until expended: *Provided*, That funds
12 appropriated under this heading may be made available
13 only pursuant to a determination by the President that
14 is in the national interest to furnish assistance on such
15 terms and conditions as he may determine, after consulta-
16 tion with Congress, for the purpose of responding to such
17 crises, including support for peace and humanitarian
18 intervention operations: *Provided further*, That none of the
19 funds appropriated under this heading shall be available
20 to respond to natural disasters: *Provided further*, That for
21 funds appropriated under this heading the President may
22 make allocations to Federal agencies, other than the De-
23 partment of Defense, to carry out the authorities provided
24 under this heading: *Provided further*, That funds appro-
25 priated by this paragraph shall be made available notwith-

1 standing section 10 of Public Law 91–672 and section 15
2 of the State Department Basic Authorities Act of 1956:
3 *Provided further*, That the President may furnish assist-
4 ance under this heading notwithstanding any other provi-
5 sion of law: *Provided further*, That the previous proviso
6 shall not apply to section 553 of Public Law 108–7: *Pro-*
7 *vided further*, That funds appropriated under this heading
8 shall be subject to the regular notification procedures of
9 the Committees on Appropriations, except that notifica-
10 tions shall be transmitted at least 5 days in advance of
11 the obligations of funds: *Provided further*, That the re-
12 quirements of the previous proviso may be waived if failure
13 to do so would pose a substantial risk to human health
14 or welfare: *Provided further*, That in case of any such
15 waiver, notification to the Committees on Appropriations
16 shall be provided as early as practicable, but in no event
17 later than 3 days after taking the action to which such
18 notification requirement was applicable, in the context of
19 the circumstances necessitating such waiver: *Provided fur-*
20 *ther*, That any notification provided pursuant to such
21 waiver shall contain an explanation of the emergency cir-
22 cumstances.

1 INDEPENDENT AGENCIES
2 DEPARTMENT OF STATE
3 INTERNATIONAL NARCOTICS CONTROL AND LAW
4 ENFORCEMENT

5 For an additional amount for “International Nar-
6 cotics Control and Law Enforcement”, \$25,000,000, to re-
7 main available until September 30, 2004.

8 ANDEAN COUNTERDRUG INITIATIVE

9 For an additional amount for the “Andean
10 Counterdrug Initiative”, \$34,000,000, to remain avail-
11 able until September 30, 2004: *Provided*, That of the
12 funds appropriated under this heading that are made
13 available for Colombia, not less than \$5,000,000 should
14 be made available for programs and activities to assist
15 women and children who have been displaced as a result
16 of armed conflict.

17 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
18 ASSISTANCE FUND

19 For an additional amount for “United States Emer-
20 gency Refugee and Migration Assistance Fund”,
21 \$75,000,000, to remain available until expended, notwith-
22 standing section 2(c)(2) of the Migration and Refugee As-
23 sistance Act of 1962, as amended (22 U.S.C. 2601(c)(2)).

1 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
2 RELATED PROGRAMS

3 For an additional amount for “Nonproliferation,
4 Anti-Terrorism, Demining and Related Programs”,
5 \$28,000,000: *Provided*, That funds appropriated by this
6 paragraph shall be available notwithstanding section 10
7 of Public Law 91–672 and section 15 of the State Depart-
8 ment Basic Authorities Act of 1956.

9 MILITARY ASSISTANCE
10 FUNDS APPROPRIATED TO THE PRESIDENT

11 FOREIGN MILITARY FINANCING PROGRAM

12 For an additional amount for “Foreign Military Fi-
13 nancing Program”, \$2,059,100,000: *Provided*, That funds
14 appropriated by this paragraph shall be available notwith-
15 standing section 10 of Public Law 91–672 and section 15
16 of the State Department Basic Authorities Act of 1956:
17 *Provided further*, That of the funds appropriated under
18 this heading, not less than \$1,000,000,000 shall be made
19 available for assistance for Israel and not less than
20 \$406,000,000 shall be made available for assistance for
21 Jordan: *Provided further*, That the funds appropriated by
22 this paragraph for Israel shall be disbursed within 30 days
23 of the enactment of this Act: *Provided further*, That to
24 the extent that the Government of Israel requests that
25 funds be used for such purposes, grants made available

1 for Israel by this paragraph shall, as agreed by Israel and
 2 the United States, be available for advanced weapons sys-
 3 tems, of which not less than \$263,000,000 shall be avail-
 4 able for the procurement in Israel of defense articles and
 5 defense services, including research and development: *Pro-*
 6 *vided further*, That funds appropriated under this heading
 7 shall be subject to the regular notification procedures of
 8 the Committees on Appropriations, except that notifica-
 9 tions shall be transmitted at least 10 days in advance of
 10 the obligation of funds.

11 PEACEKEEPING OPERATIONS

12 For an additional amount for “Peacekeeping Oper-
 13 ations”, \$150,000,000.

14 OTHER BILATERAL ECONOMIC ASSISTANCE

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 IRAQ RELIEF AND RECONSTRUCTION FUND

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses for humanitarian assistance
 19 in and around Iraq and for rehabilitation and reconstruc-
 20 tion in Iraq, \$2,468,300,000, including for the costs of:
 21 (1) feeding and food distribution; (2) supporting relief ef-
 22 forts related to refugees, internally displaced persons, and
 23 vulnerable individuals, including assistance for families of
 24 innocent Iraqi civilians who suffer losses as a result of
 25 military operations; (3) humanitarian demining; (4)
 26 healthcare; (5) water/sanitation infrastructure; (6) edu-

1 cation; (7) electricity; (8) transportation; (9) telecommuni-
2 cations; (10) rule of law and governance; (11) economic
3 and financial policy; and (12) agriculture: *Provided*, That
4 these funds may be transferred to and made available for
5 any Federal Government activity, other than any Depart-
6 ment of Defense activity, for expenses to meet such costs:
7 *Provided further*, That upon a determination that all or
8 part of the funds transferred from this appropriation are
9 not necessary for the purposes provided herein, such
10 amounts may be transferred back to this appropriation:
11 *Provided further*, That funds appropriated under this
12 heading shall be used to fully reimburse accounts adminis-
13 tered by the Department of State and the United States
14 Agency for International Development, not otherwise re-
15 imbursed from funds appropriated by this chapter, for ob-
16 ligations incurred for the purposes provided under this
17 heading prior to enactment of this Act from funds appro-
18 priated for foreign operations, export financing, and re-
19 lated programs: *Provided further*, That prior to the initial
20 transfer of funds made available under this heading to any
21 Agency or Department, the Secretary of State shall con-
22 sult with the Committees on Appropriations on plans for
23 the use of the funds appropriated under this heading that
24 will be used for assistance for Iraq: *Provided further*, That
25 the United States may accept from any person, foreign

1 government, or international organization, and credit to
 2 this Fund, any contribution of money for such purposes:
 3 *Provided further*, That funds appropriated under this
 4 heading shall be available notwithstanding any other pro-
 5 vision of law, including section 10 of Public Law 91–672
 6 and section 15 of the State Department Basic Authorities
 7 Act of 1956: *Provided further*, That the previous proviso
 8 shall not apply to section 553 of Public Law 108–7: *Pro-*
 9 *vided further*, That funds appropriated under this heading
 10 shall be subject to the regular notification procedures of
 11 the Committees on Appropriation, except that notifica-
 12 tions shall be transmitted at least 5 days in advance of
 13 the obligations of funds.

14 GENERAL PROVISIONS, THIS CHAPTER

15 SEC. 501. Any appropriation made available in this
 16 chapter under the headings “International Disaster As-
 17 sistance”, “United States Emergency Refugee and Migra-
 18 tion Assistance Fund”, “Nonproliferation, Anti-Ter-
 19 rorism, Demining and Related Programs”, “Peacekeeping
 20 Operations”, or “Iraq Relief and Reconstruction Fund”
 21 may be transferred between such appropriations for use
 22 for any of the purposes for which the funds in the such
 23 receiving account may be used: *Provided*, That the total
 24 amount transferred from funds appropriated under each
 25 of these headings shall not exceed \$200,000,000: *Provided*

1 *further*, That the Secretary of State shall consult with the
2 Committee on Appropriations prior to exercising the au-
3 thority contained in this section: *Provided further*, That
4 funds made available pursuant to the authority of this sec-
5 tion shall be subject to the regular notification procedures
6 of the Committees on Appropriations, except that notifica-
7 tion shall be transmitted at least 5 days in advance of
8 the obligations of funds.

9 SEC. 502. Assistance or other financing under this
10 chapter may be made available for assistance to Iraq not-
11 withstanding any other provision of law: *Provided*, That
12 the authority contained in this section shall not apply to
13 section 553 of Public Law 108–7: *Provided further*, That
14 funds made available for assistance for Iraq pursuant to
15 this authority shall be subject to the regular notification
16 procedures of the Committees on Appropriations and sec-
17 tion 634A of the Foreign Assistance Act of 1961, except
18 that notification shall be transmitted at least 5 days in
19 advance of the obligation of funds.

20 SEC. 503. The Iraq Sanctions Act of 1990 is hereby
21 repealed: *Provided*, That nothing in this section shall af-
22 fect the applicability of the Iran-Iraq Arms Non-Prolifera-
23 tion Act of 1992 (Public Law 102–484), except as such
24 Act applies to water purification items and other humani-
25 tarian assistance for the Iraqi people: *Provided further*,

1 That the President may make inapplicable with respect
2 to Iraq section 620A of the Foreign Assistance Act of
3 1961, as amended, or other provision of law that applies
4 to countries that have supported terrorism: *Provided fur-*
5 *ther*, That section 307 of the Foreign Assistance of 1961,
6 as amended, shall not apply with respect to programs of
7 international organizations for Iraq: *Provided further*,
8 That provisions of law that direct the United States Gov-
9 ernment to vote against or oppose loans or other uses of
10 funds, including for financial or technical assistance, in
11 international financial institutions for Iraq should not be
12 construed as applying to Iraq.

13 SEC. 504. Notwithstanding any other provision of
14 law, the President may authorize the export to Iraq of any
15 item subject to the Export Administration Regulations, 15
16 CFR chapter VII, subchapter C, or controlled under the
17 International Trafficking in Arms Regulations on the
18 United States Munitions List established pursuant to sec-
19 tion 38 of the Arms Export Control Act, 22 U.S.C. 2778,
20 if the President determines that the export of such item
21 is in the national interest of the United States.

22 SEC. 505. Of the funds appropriated by this chapter
23 under the heading “Economic Support Fund”,
24 \$10,000,000 should be made available for investigations
25 and research into allegations of war crimes, crimes against

1 humanity, or genocide committed by Saddam Hussein or
2 other Iraqis, and for the establishment of an international
3 tribunal to bring these individuals to justice: *Provided*,
4 That 90 days after enactment of this Act, the Secretary
5 of State shall report to the Committees on Appropriations
6 on plans for the prosecution of these individuals, including
7 jurisdictional options.

8 SEC. 506. It is the Sense of the Senate that, to the
9 maximum extent practicable, contracts (including sub-
10 contracts) and grants for relief and reconstruction in Iraq
11 from funds appropriated under this chapter should be
12 awarded to United States companies (particularly small
13 and medium sized businesses) and organizations, to com-
14 panies and organizations located in the Near East region,
15 and to those from countries which have provided assist-
16 ance to Operation Iraqi Freedom.

17 SEC. 507. It is the sense of the Senate that the recon-
18 struction of Iraq should be funded to the maximum extent
19 practicable from revenues produced by Iraqi oil and that
20 the United States Government should work with our allies,
21 the future government of a free Iraq, and other appro-
22 priate entities to establish the necessary framework for
23 this arrangement.

24 SEC. 508. Division E of Public Law 108–7, under
25 the heading “Assistance for the Independent States of the

1 Former Soviet Union”, is amended by inserting in sub-
2 section (f) before the period: “: *Provided further*, That
3 such funds may be made available without regard to the
4 restriction in this subsection if the Secretary of State de-
5 termines that to do so is in the national security interest
6 of the United States”.

7 CHAPTER 6

8 DEPARTMENT OF HOMELAND SECURITY

9 DEPARTMENTAL MANAGEMENT

10 COUNTERTERRORISM FUND

11 For an additional amount for the “Counterterrorism
12 Fund,” for necessary expenses as determined by the Sec-
13 retary of Homeland Security, \$1,135,000,000, to remain
14 available until December 31, 2003, to reimburse any De-
15 partment of Homeland Security organization for the costs
16 of providing support to prevent, counter, investigate, re-
17 spond to, or prosecute unexpected threats or acts of ter-
18 rorism: *Provided*, That of the total amount appropriated,
19 not to exceed \$215,000,000 may be transferred to any au-
20 thorized Federal Government activity for necessary ex-
21 penses to detect, prepare for, protect against, or respond
22 to a potential terrorist attack: *Provided further*, That the
23 Secretary shall notify the Committees on Appropriations
24 of the Senate and House of Representatives 15 days prior
25 to the obligation of any amount of these funds.

1 BORDER AND TRANSPORTATION SECURITY

2 OFFICE FOR DOMESTIC PREPAREDNESS

3 For an additional amount for the “Office for Domes-
4 tic Preparedness”, as authorized by Sections 403(5) and
5 430 of the Homeland Security Act of 2002 (Public Law
6 107–296) and Section 1014 of the USA PATRIOT ACT
7 of 2001 (Public Law 107–56), for grants, contracts, coop-
8 erative agreements, and other activities, including grants
9 to States for terrorism prevention activities,
10 \$2,000,000,000, to remain available until expended: *Pro-*
11 *vided*, That of the total amount appropriated,
12 \$1,420,000,000 shall be made available for grants to
13 states, and each state grant award shall ensure that at
14 least 80 percent of the total amount of the grant shall
15 be allocated to local governments within 60 days of receipt
16 of the funds: *Provided further*, That of the total amount
17 appropriated, \$450,000,000 shall be made available for
18 grants to states for critical infrastructure protection, and
19 each grant award shall ensure that no less than one-third
20 of the total amount of the grant shall be allocated to local
21 governments within 60 days of receipt of the funds: *Pro-*
22 *vided further*, That of the total amount appropriated,
23 \$100,000,000 shall be made available for protection or
24 preparedness of high-threat urban areas, as determined by
25 the Secretary of Homeland Security.

1 COAST GUARD

2 OPERATING EXPENSES

3 For an additional amount for “Operating Expenses”
4 for the Coast Guard in support of Department of Defense
5 initiatives in relation to Operation Iraqi Freedom and Op-
6 eration Liberty Shield, \$580,000,000, to remain available
7 until December 31, 2003: *Provided*, That the Secretary
8 shall notify the Committees on Appropriations of the Sen-
9 ate and House of Representatives 15 days prior to obliga-
10 tion of any amount of these funds.

11 CHAPTER 7

12 DEPARTMENT OF HEALTH AND HUMAN

13 SERVICES

14 OFFICE OF THE SECRETARY

15 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

16 FUND

17 For an additional amount for the “Public Health and
18 Social Services Emergency Fund”, \$35,000,000 for costs
19 associated with compensating individuals with injuries re-
20 sulting from smallpox vaccinations and countermeasures,
21 to remain available until expended: *Provided*, That such
22 funds shall become available only upon the enactment of
23 legislation authorizing a smallpox vaccination compensa-
24 tion program.

1 GENERAL PROVISION

2 REPATRIATION

3 SEC. 701. Section 1113(d) of the Social Security Act
4 (42 U.S.C. 1313(d)), is amended by striking “1991” and
5 inserting “2003”.

6 CHAPTER 8

7 LEGISLATIVE BRANCH

8 CAPITOL POLICE

9 GENERAL EXPENSES

10 For an additional amount for “General expenses”,
11 \$38,165,000, to remain available until expended.

12 OFFICE OF COMPLIANCE

13 SALARIES AND EXPENSES

14 For an additional amount for “Salaries and ex-
15 penses”, \$111,000.

16 ARCHITECT OF THE CAPITOL

17 GENERAL ADMINISTRATION

18 For an additional amount for “General administra-
19 tion”, \$18,672,000, which shall remain available until
20 September 30, 2007.

21 CAPITOL BUILDING

22 For an additional amount for “Capitol building”,
23 \$1,100,000.

1 CAPITOL POWER PLANT

2 For an additional amount for “Capitol power plant”,
3 \$14,600,000, which shall remain available until September
4 30, 2007.

5 CAPITOL POLICE BUILDINGS AND GROUNDS

6 For an additional amount for “Capitol police build-
7 ings and grounds”, \$40,140,000, to remain available until
8 September 30, 2007.

9 LIBRARY OF CONGRESS

10 SALARIES AND EXPENSES

11 For an additional amount for “Salaries and ex-
12 penses”, \$5,500,000 to remain available until September
13 30, 2007.

14 CONGRESSIONAL RESEARCH SERVICE

15 SALARIES AND EXPENSES

16 For an additional amount for “Salaries and ex-
17 penses”, \$1,863,000, to remain available until September
18 30, 2007.

19 GENERAL ACCOUNTING OFFICE

20 SALARIES AND EXPENSES

21 For an additional amount for “Salaries and ex-
22 penses”, \$4,849,000.

1 CHAPTER 9
 2 DEPARTMENT OF DEFENSE
 3 MILITARY CONSTRUCTION
 4 MILITARY CONSTRUCTION, NAVY

5 For an additional amount for “Military Construction,
 6 Navy”, \$48,100,000, to remain available until September
 7 30, 2007.

8 MILITARY CONSTRUCTION, AIR FORCE

9 For an additional amount for “Military Construction,
 10 Air Force”, \$127,400,000, to remain available until Sep-
 11 tember 30, 2007.

12 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
 13 FORCE

14 For an additional amount for “Family Housing Oper-
 15 ation and Maintenance, Air Force”, \$2,000,000, to remain
 16 available until September 30, 2007.

17 GENERAL PROVISION, THIS CHAPTER

18 SEC. 901. (a) Up to \$150,000,000 of the amounts
 19 made available to the Department of Defense from funds
 20 appropriated in this Act may be used to carry out military
 21 construction projects, not otherwise authorized by law,
 22 that the Secretary of Defense certifies are necessary to
 23 respond to or protect against acts or threatened acts of
 24 terrorism or to prosecute operations in Iraq.

1 (b) Not later than 15 days before obligating amounts
2 available under subsection (a) for military construction
3 projects referred to in that subsection, the Secretary shall
4 notify the appropriate committees of Congress of the fol-
5 lowing:

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

8 (2) the estimated cost of the project and the ac-
9 companying Form 1391.

10 (c) In this section the term “appropriate committees
11 of Congress” has the meaning given that term in section
12 2801(c)(4) of title 10, United States Code.

13 CHAPTER 10

14 DEPARTMENT OF TRANSPORTATION

15 MARITIME ADMINISTRATION

16 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

17 ACCOUNT

18 For the cost of guaranteed loans, as authorized,
19 \$50,000,000, to remain available until September 30,
20 2005: *Provided*, That such costs, including the cost of
21 modifying such loans, shall be as defined in section 502
22 of the Congressional Budget Act of 1974, as amended.

1 TITLE II—MISCELLANEOUS AND TECHNICAL
2 CORRECTIONS

3 CHAPTER 1

4 SUBCOMMITTEE ON AGRICULTURE, RURAL
5 DEVELOPMENT, AND RELATED AGENCIES

6 GENERAL PROVISIONS

7 (a) Section 756 in Division A of Public Law 108–
8 7 is amended by striking “section 7404” and inserting in
9 lieu thereof “section 7404(a)(1)”.

10 (b) Section 10806(b) of the Farm Security and Rural
11 Investment Act of 2002 (21 U.S.C. 321d(b)) is amended
12 by adding at the end the following:

13 “(3) EFFECTIVE DATE.—This subsection and
14 the amendment made by this subsection take effect
15 on May 13, 2003.”.

16 (c) Section 210 of the Agricultural Assistance Act of
17 2003, “Assistance to Agricultural Producers Located in
18 New Mexico for Tebuthiuron Application Losses”, is
19 amended in subsection (a)—

20 (1) by inserting “all” before “losses”;

21 (2) by inserting after “losses” the following: “to
22 crops, livestock, and trees, and interest and loss of
23 income, and related expenses”;

24 (3) by striking “during calendar years 2002
25 and 2003”; and

1 (4) by deleting “August” and inserting in lieu
2 thereof “July”.

3 (d)(1) STUDY ON THE SALE OF MILK INTO CALI-
4 FORNIA.—Within 90 days, the Secretary shall report to
5 Congress on the economic impacts to California dairy
6 farmers from handlers or processors of Class I milk prod-
7 ucts in the Las Vegas-Nevada-Arizona region selling milk
8 or milk products into the California State order.

9 (2) EXEMPTION OF MILK HANDLERS FROM MIN-
10 IMUM PRICE REQUIREMENTS.—Section 8c(5) of the Agri-
11 cultural Adjustment Act (7 U.S.C. 608c(5)), reenacted
12 with amendments by the Agricultural Marketing Agree-
13 ment Act of 1937 (as amended by subsection (a)), is
14 amended by adding at the end the following:

15 “(N) EXEMPTION OF MILK HANDLERS
16 FROM MINIMUM PRICE REQUIREMENTS.—Not-
17 withstanding any other provision of this sub-
18 section, prior to January 1, 2005, no handler
19 with distribution of Class I milk products in the
20 Arizona-Las Vegas marketing area (Order No.
21 131) or Pacific Northwest marketing area
22 (Order No. 124) shall be exempt during any
23 month from any minimum milk price require-
24 ment established by the Secretary under this
25 subsection if the total distribution of Class I

1 products within the Arizona-Las Vegas mar-
 2 keting area or the Pacific Northwest marketing
 3 area of any handler's own farm production ex-
 4 ceeds the lesser of—

5 “(i) 3 percent of the total quantity of
 6 Class I products distributed in the Ari-
 7 zona-Las Vegas marketing area (Order No.
 8 131) or the Pacific Northwest marketing
 9 area (Order No. 124); or

10 “(ii) 5,000,000 pounds.”.

11 (3) EXCLUSION OF CLARK COUNTY, NEVADA FROM
 12 FEDERAL MILK MARKETING ORDERS.—

13 (A) IN GENERAL.—Section 8c(11)(C) the Agri-
 14 cultural Adjustment Act (7 U.S.C. 608c(11)(C)), re-
 15 enacted with amendments by the Agricultural Mar-
 16 keting Agreement Act of 1937, is amended by strik-
 17 ing the last sentence and inserting the following: “In
 18 the case of milk and its products, Clark County, Ne-
 19 vada shall not be within a marketing area defined in
 20 any order issued under this section.”.

21 (B) INFORMAL RULEMAKING.—The Secretary
 22 of Agriculture may modify an order issued under
 23 section 8c of the Agricultural Adjustment Act (7
 24 U.S.C. 608c), reenacted with amendments by the
 25 Agricultural Marketing Agreement Act of 1937, to

1 implement the amendment made by paragraph (1)
2 by promulgating regulations, without regard to sec-
3 tions 556 and 557 of title 5, United States Code.

4 CHAPTER 2

5 SUBCOMMITTEE ON COMMERCE, JUSTICE, AND STATE,

6 THE JUDICIARY, AND RELATED AGENCIES

7 DEPARTMENT OF COMMERCE

8 NATIONAL OCEANIC AND ATMOSPHERIC

9 ADMINISTRATION

10 PROCUREMENT, ACQUISITION AND CONSTRUCTION

11 For an additional amount for “Procurement, Acquisi-
12 tion and Construction” for satellite programs,
13 \$106,060,000, to remain available until September 30,
14 2004: *Provided*, That funds provided under this heading
15 for the National Polar-orbiting Operational Environ-
16 mental Satellite System shall only be made available on
17 a dollar for dollar matching basis with funds provided for
18 the same purpose by the Department of Defense: *Provided*
19 *further*, That of the amount provided under this heading,
20 \$2,460,000 shall be transferred to, and merged with,
21 funds provided under the heading “International Fisheries
22 Commissions” of Division B of Public Law 108–7 and
23 shall only be available for the Pacific Salmon Commission:
24 *Provided further*, That of the amount provided under this
25 heading, \$1,000,000 shall be transferred to, and merged

1 with, funds provided under the heading “International
 2 Fisheries Commissions” of Division B of Public Law 108–
 3 7 and shall only be available for the Great Lakes Fishery
 4 Commission, of which \$500,000 shall be used for sea lam-
 5 prey control in Lake Champlain.

6 RELATED AGENCIES

7 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

8 SALARIES AND EXPENSES

9 For an additional amount for “Equal Employment
 10 Opportunity Commission, Salaries and Expenses”,
 11 \$23,300,000, of which \$5,000,000 shall remain available
 12 until September 30, 2004.

13 NATIONAL COMMISSION ON TERRORIST ATTACKS UPON

14 THE UNITED STATES

15 SALARIES AND EXPENSES

16 For an additional amount for “National Commission
 17 on Terrorist Attacks Upon the United States, Salaries and
 18 Expenses”, \$11,000,000, to remain available until Sep-
 19 tember 30, 2004.

20 GENERAL PROVISIONS, THIS CHAPTER

21 SEC. 2001. (a) Of the funds made available in Title
 22 I of Division B of Public Law 108–7, under the heading
 23 “Juvenile Justice Programs”, for Family Ties Supervised
 24 Visitation Services in Wakefield, Rhode Island, \$100,000
 25 are rescinded.

1 (b) For an additional amount in Title I of Division
2 B of Public Law 108–7, under the heading “Juvenile Jus-
3 tice Programs”, \$529,000, which shall only be available
4 for law enforcement costs related to the Station nightclub
5 fire on February 20, 2003, to remain available until De-
6 cember 31, 2003.

7 SEC. 2002. Not later than 60 days after the date of
8 the enactment of this Act, the Secretary of State and the
9 Attorney General shall jointly report to the Committee on
10 Appropriations on the feasibility of providing access to
11 State and local law enforcement agencies to the database
12 of the Department of State on potential terrorists known
13 as the “Tipoff” database including the process by which
14 classified information shall be secured from unauthorized
15 disclosure.

16 CHAPTER 3

17 SUBCOMMITTEE ON DISTRICT OF COLUMBIA

18 DISTRICT OF COLUMBIA FUNDS

19 GOVERNMENTAL DIRECTION AND SUPPORT

20 (INCLUDING RESCISSIONS)

21 Of the funds appropriated under this heading in the
22 District of Columbia Appropriations Act, 2003 (Public
23 Law 108–7), \$9,358,000 are rescinded (including
24 \$9,261,000 from local funds and \$97,000 from other
25 funds).

1 ECONOMIC DEVELOPMENT AND REGULATION

2 For an additional amount for “Economic Develop-
3 ment and Regulation”, \$14,998,000 (including \$288,000
4 from local funds and \$14,710,000 from other funds).

5 PUBLIC SAFETY AND JUSTICE

6 For an additional amount for “Public Safety and
7 Justice” (Public Law 108–7), \$10,422,000 from local
8 funds.

9 PUBLIC EDUCATION SYSTEM

10 (INCLUDING RESCISSIONS)

11 Of the funds appropriated under this heading in the
12 District of Columbia Appropriations Act, 2003 (Public
13 Law 108–7), \$11,667,000 are rescinded (including a re-
14 scission of \$13,778,000 from local funds and an additional
15 amount of \$2,111,000 from other funds), to be allocated
16 as follows:

17 (1) DISTRICT OF COLUMBIA PUBLIC
18 SCHOOLS.—An increase of \$2,029,000 (including a
19 rescission of \$29,000 from local funds and an addi-
20 tional amount of \$2,058,000 from other funds);

21 (2) STATE EDUCATION OFFICE.—A rescission
22 of \$181,000 from local funds;

23 (3) PUBLIC CHARTER SCHOOLS.—Notwith-
24 standing any other provision of law, a rescission of
25 \$12,000,000 from local funds: *Provided*, That of

1 these funds, not less than \$3,000,000 shall be used
 2 for providing adequate charter school facilities and
 3 educational programming in public charter schools
 4 in the District of Columbia;

5 (4) UNIVERSITY OF THE DISTRICT OF COLUM-
 6 BIA.—A rescission of \$1,040,000 from local funds;

7 (5) DISTRICT OF COLUMBIA PUBLIC LIBRAR-
 8 IES.—A rescission of \$221,000 (including a rescis-
 9 sion of \$273,000 from local funds and an additional
 10 amount of \$53,000 from other funds); and

11 (6) COMMISSION ON THE ARTS AND HUMAN-
 12 ITIES.—A rescission of \$255,000 from local funds.

13 HUMAN SUPPORT SERVICES

14 (INCLUDING RESCISSIONS)

15 For an additional amount for “Human Support Serv-
 16 ices”, \$28,278,000 (including an additional amount of
 17 \$32,312,000 from local funds and a rescission of
 18 \$4,034,000 from other funds appropriated under this
 19 heading in the District of Columbia Appropriations Act,
 20 2003 (Public Law 108–7).

21 In addition, this heading in the District of Columbia
 22 Appropriations Act, 2003, approved February 20, 2003
 23 (Public Law 108–7), is amended as follows:

24 (1) by striking the following proviso, “*Provided*
 25 *further*, That \$3,209,000 of this appropriation, to

1 remain available until expended, shall be deposited
2 in the Interim Disability Assistance Fund to be used
3 exclusively for the Interim Disability Assistance pro-
4 gram established by section 201 of the District of
5 Columbia Public Assistance Act of 1982, effective
6 April 6, 1982 (D.C. Law 4–101; D.C. Official Code,
7 sec. 4–202.01), and the purposes for that program
8 set forth in section 407 of the District of Columbia
9 Public Assistance Act of 1982, effective April 3,
10 2001 (D.C. Law 13–252; D.C. Official Code, sec. 4–
11 204.07):”, and

12 (2) by amending the following proviso, “: *Pro-*
13 *vided further*, That \$37,500,000 in local funds, to
14 remain available until expended, shall be deposited
15 in the Medicaid and Special Education Reform
16 Fund.” to read as follows “: *Provided further*, That
17 \$74,500,000 in local funds may be deposited in the
18 Medicaid and Special Education Reform Fund and
19 shall then remain available until expended.”.

20 PUBLIC WORKS

21 (INCLUDING RESCISSIONS)

22 For an additional amount for “Public Works”,
23 \$3,107,000 (including a rescission of \$8,311,000 from
24 local funds appropriated under this heading in the District
25 of Columbia Appropriations Act, 2003 (Public Law 108–

1 7), and an additional amount of \$11,418,000 from other
 2 funds): *Provided*, That \$512,000 from other funds shall
 3 remain available until expended for the taxicab revolving
 4 loan fund.

5 REPAYMENT OF LOANS AND INTEREST

6 (INCLUDING RESCISSIONS)

7 Of the funds appropriated under this heading in the
 8 District of Columbia Appropriations Act, 2003 (Public
 9 Law 108-7), \$2,466,000 are rescinded.

10 NON-DEPARTMENTAL

11 (INCLUDING RESCISSIONS)

12 Of the funds appropriated under this heading in the
 13 District of Columbia Appropriations Act, 2003 (Public
 14 Law 108-7), \$5,799,000 are rescinded.

15 WORKFORCE INVESTMENTS

16 (INCLUDING RESCISSIONS)

17 Of the funds appropriated under this heading in the
 18 District of Columbia Appropriations Act, 2003 (Public
 19 Law 108-7), \$2,000,000 are rescinded.

20 GENERAL PROVISIONS, THIS CHAPTER

21 SEC. 3001. USE OF THE FUND BALANCE. (a) The
 22 District of Columbia is hereby authorized to transfer an
 23 amount not to exceed \$32,900,000, to remain available
 24 until expended, from funds identified in the fiscal year
 25 2002 comprehensive annual financial report as the Dis-

1 NATIONAL PARK SERVICE
2 OPERATION OF THE NATIONAL PARK SYSTEM
3 Division F of Public Law 108–7 is hereby amended
4 under the heading “National Park Service, Operation of
5 the National Park System” by striking “\$1,565,565,000”
6 and inserting “1,574,565,000”.

7 BUREAU OF INDIAN AFFAIRS
8 CONSTRUCTION
9 Within thirty days of enactment of this Act, the Sec-
10 retary of the Interior shall make available for obligation
11 funds previously appropriated in Public Law 107–63 for
12 construction of the Ojibwa Indian School.

13 RELATED AGENCY

14 GENERAL PROVISION

15 Section 328 of Division F, Public Law 108–7 is
16 amended by striking the phrase “under the authority of
17 Section 504 of the Rescissions Act of 1995 (Public Law
18 104–19)” in the proviso.

19 Not later than 60 days after the date of the enact-
20 ment of this Act, the Secretary of the Interior shall pro-
21 vide a report to the Committees on Energy and Natural
22 Resources and Appropriations of the Senate and the Com-
23 mittees on Resources and Appropriations of the House of
24 Representatives detailing the Secretary’s intent regarding

1 the direct sale of 983 acres in Clark County, Nevada,
2 known as Lake Las Vegas Phase II.

3 CHAPTER 5
4 SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN
5 SERVICES, AND EDUCATION, AND RELATED AGENCIES
6 DEPARTMENT OF LABOR
7 EMPLOYMENT AND TRAINING ADMINISTRATION
8 TRAINING AND EMPLOYMENT SERVICES

9 For an additional amount for the Employment and
10 Training Administration, “Training and Employment
11 Services” to carry out activities authorized under section
12 171(b) of the Workforce Investment Act, \$1,000,000: *Pro-*
13 *vided*, That such sum shall be for the Jobs for America’s
14 Graduates (JAG) school-to-work program for at-risk
15 young people.

16 DEPARTMENT OF HEALTH AND HUMAN
17 SERVICES
18 HEALTH RESOURCES AND SERVICES ADMINISTRATION
19 HEALTH RESOURCES AND SERVICES

20 The matter under the heading “Department of
21 Health and Human Services, Health Resources and Serv-
22 ices Administration, Health Resources and Services”, in
23 Public Law 108–7 is amended—

1 (1) by striking “Heart Beat, New Bloomfield,
2 PA,” and inserting “Heart Beat, Millerstown, PA,”
3 in lieu thereof;

4 (2) by striking “Tressler Lutheran Services,
5 Harrisburg, PA, for abstinence education and re-
6 lated services” and inserting “DIAKON Lutheran
7 Social Ministries, Allentown, PA, for abstinence edu-
8 cation and related services in Cumberland and Dau-
9 phin counties” in lieu thereof;

10 (3) by striking “Community Ministries of the
11 Lutheran Home at Topton, Reading, PA, for absti-
12 nence education and related services” and inserting
13 “DIAKON Lutheran Social Ministries of Allentown,
14 PA, for abstinence education and related services in
15 Berks county” in lieu thereof;

16 (4) by striking “\$298,153,000” and inserting
17 “\$296,638,000” in the first proviso; and

18 (5) by inserting after “a study regarding deliv-
19 ery of pediatric health care in northeastern Okla-
20 homa,” “\$225,000 is available for the Mental
21 Health Association of Tarrant County, Ft. Worth,
22 Texas to provide school-based mental health edu-
23 cation to schools in Tarrant County, \$200,000 is
24 available for the AIDS Research Institute at the
25 University of California, San Francisco for a Devel-

1 oping Country Medical Program to facilitate clini-
2 cian exchange between the United States and devel-
3 oping countries, \$1,000,000 is available for the
4 Geisinger Health System, Harrisburg, PA to estab-
5 lish centers of excellence for the treatment of au-
6 tism”.

7 OFFICE OF THE SECRETARY

8 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

9 FUND

10 The matter under the heading “Office of the Sec-
11 retary, Public Health and Social Services Emergency
12 Fund”, in Public Law 108–7 is amended by striking “,
13 to remain available until expended” after the
14 “\$5,000,000”.

15 GENERAL PROVISION

16 INTERNATIONAL HEALTH ACTIVITIES

17 (a) In addition to the authority provided in section
18 215 of the Departments of Labor, Health and Human
19 Services, and Education, and Related Agencies Appropria-
20 tions Act, 2003 (Public Law 108–7, Division G), in order
21 for the Centers for Disease Control and Prevention to
22 carry out international health activities, including HIV/
23 AIDS and other infectious disease, chronic and environ-
24 mental disease, and other health activities abroad during
25 fiscal year 2003, the Secretary of Health and Human

1 Services may exercise authority equivalent to that avail-
2 able to the Secretary of State in section 2(c) of the State
3 Department Basic Authorities Act of 1956 (22 U.S.C.
4 2669(c)).

5 (b) The Secretary of Health and Human Services
6 shall consult with the Secretary of State and relevant
7 Chief of Mission to ensure that the authority provided in
8 this section is exercised in a manner consistent with sec-
9 tion 207 of the Foreign Service Act of 1980 (22 U.S.C.
10 3927) and other applicable statutes administered by the
11 Department of State.

12 DEPARTMENT OF EDUCATION

13 SCHOOL IMPROVEMENT PROGRAMS

14 The matter under the heading “Department of Edu-
15 cation, School Improvement Programs”, in Public Law
16 108–7 is amended—

17 (1) by striking “\$8,052,957,000” and inserting
18 “\$8,053,507,000”;

19 (2) by striking “\$508,100,000” and inserting
20 “\$537,100,000”;

21 (3) by striking “\$4,132,167,000” and inserting
22 “\$4,233,167,000”;

23 (4) by striking “\$814,660,000” and inserting
24 “\$815,210,000”; and,

1 (5) by striking “\$212,160,000” and inserting
2 “\$212,710,000”.

3 In the statement of the managers of the committee
4 of conference accompanying H.J. Res. 2 (Public Law 108–
5 7; House Report 108–10), in the matter in title III of Di-
6 vision G, relating to the Fund for the Improvement of
7 Education under the heading “School Improvement Pro-
8 grams”—

9 (1) the provision specifying \$150,000 for Illi-
10 nois State Board of Education, Springfield, Illinois,
11 for computers, hardware and software for the imple-
12 mentation of Fast ForWord reading program to the
13 Pleasant Plains Community Unit District #8 and
14 Pleasant Plain Illinois District #18 shall be deemed
15 to read as follows: “Illinois State Board of Edu-
16 cation, Springfield, Illinois, for implementation of
17 Fast ForWord reading program to the Pleasant
18 Plains Community Unit District #8 and for improv-
19 ing mathematics achievement in Peoria School Dis-
20 trict #150 and Jacksonville School District #117,
21 \$150,000”;

22 (2) the provision specifying \$2,000,000 for
23 Pinellas County Florida School District, St. Peters-
24 burg, Florida, for technology for Title I schools shall
25 be deemed to read as follows: “St. Petersburg Col-

1 lege, St. Petersburg, Florida, for the Pinellas Coun-
2 ty EpiCenter, \$2,000,000”;

3 (3) the provision specifying \$500,000 for the
4 St. Louis Children’s Museum, MO, for a collabo-
5 rative project with the St. Louis Public Library to
6 create interactive exhibits and educational programs
7 shall be deleted;

8 (4) the provision specifying \$200,000 for the
9 Harford County Board of Education in Aberdeen,
10 MD, for a collaboration between a science and tech-
11 nology high school and the Aberdeen Proving
12 Ground shall be deemed to read as follows: “Harford
13 County Board of Education in Aberdeen, MD, for a
14 collaboration between a science and technology high
15 school and the Aberdeen Proving Ground,
16 \$700,000”;

17 (5) the provision specifying \$25,000 for the
18 Boys and Girls Club of El Dorado, Arkansas, for
19 drug prevention and after school programs shall be
20 deemed to read as follows: “Boys and Girls Club,
21 Southeast Unit, El Dorado, Arkansas, for drug pre-
22 vention and after school programs, \$25,000”;

23 (6) the provision specifying \$100,000 for the
24 American Academy of Liberal Education, Wash-
25 ington, D.C., to develop projects and survey best

1 practices in the study of American democracy and
2 principles of free government at colleges and univer-
3 sities shall be deleted;

4 (7) the provision specifying \$400,000 for the
5 Milwaukee Public Schools, Wisconsin, to expand
6 before- and after-school programs shall be deemed to
7 read: “Milwaukee Public Schools, WI, for before-
8 and after-school programs, \$400,000”;

9 (8) the provision specifying \$200,000 for
10 Tensas Reunion, Inc., Newellton, LA, for instruc-
11 tional technology training, and after school programs
12 at the Tensas Charter School shall be deemed to
13 read: “Tensas Reunion, Inc., Newellton, LA, for the
14 TREES Project in Tensas Parish, including activi-
15 ties such as the purchase of computers and edu-
16 cational software, tutoring, and workshops to pro-
17 mote parental involvement, \$200,000”;

18 (9) the provision specifying \$250,000 for Com-
19 munity School District 8, Flushing, NY, for after-
20 school programs shall be deemed to read: “Commu-
21 nity School District 8, Bronx, NY, for after-school
22 programs, \$250,000”;

23 (10) the provision specifying \$20,000 for
24 Westside High School, Bakersfield, California, for
25 equipment shall be deemed to read: “West High

1 School, Bakersfield, California, for equipment,
2 \$20,000”;

3 (11) the provision specifying \$1,000,000 for the
4 National Science Center Foundation, Atlanta, Geor-
5 gia, for educational technology and other purposes
6 shall be deemed to read: “National Science Center
7 Foundation, Augusta, Georgia, for educational tech-
8 nology and other purposes, \$1,000,000”;

9 (12) the provision specifying \$200,000 for the
10 Golden Gate National Parks Association, San Fran-
11 cisco, CA, for environmental education programs at
12 the Crissy Field Center shall be deemed to read:
13 “Golden Gate National Parks Conservancy, San
14 Francisco, CA, for environmental education pro-
15 grams at the Crissy Field Center, \$200,000” and a
16 provision shall be added that reads: “Beresford
17 Community Education in Beresford, SD to expand
18 community education programs, \$150,000”;

19 (13) the provision specifying \$100,000 for the
20 University of South Florida, Tampa, FL, for the
21 Tampa Bay Consortium for the Development of
22 Educational Leaders and the Preparation and Re-
23 cruitment of Teachers shall be deemed to read:
24 “University of South Florida, Tampa, FL, for the

1 Tampa Bay Consortium for the Development of
2 Educational Leaders, \$100,000”;

3 (14) the provision specifying \$25,000 for the
4 Meredith-Dunn Learning Disabilities Center, Inc.,
5 Louisville, Kentucky for technology shall be deemed
6 to read as follows: “Meredith-Dunn Learning Dis-
7 abilities Center, Inc., Louisville, Kentucky for school
8 counseling services, \$25,000”;

9 (15) the provision specifying \$40,000 for the
10 Father Maloney’s Boys Haven, Louisville, Kentucky
11 for technology shall be deemed to read as follows:
12 “Father Maloney’s Boys Haven, Louisville, Ken-
13 tucky for an educational program, \$40,000”;

14 (16) the provision specifying \$50,000 for the
15 Joel II Restoration Ministries for education pro-
16 grams shall be deemed to read as follows: “Joel II
17 Restoration Outreach, Inc. for education programs,
18 \$50,000”; and

19 (17) the provision specifying \$1,500,000 for the
20 City of Upland, California, for after school programs
21 shall be deemed to read as follows: “YMCA of the
22 City of Upland, California, for after-school activities,
23 \$1,500,000”.

24 HIGHER EDUCATION

25 The matter under the heading “Higher Education”,
26 in Public Law 108–7 is amended—

1 (1) by striking “\$2,100,701,000” and inserting
2 “\$2,100,151,000”; and,

3 (2) by striking “\$140,599,000” and inserting
4 “\$140,049,000”.

5 In the statement of the managers of the committee
6 of conference accompanying H.J. Res. 2 (Public Law 108–
7 7; House Report 108–10), in the matter in title III of Di-
8 vision G, relating to the Fund for the Improvement of
9 Postsecondary Education under the heading “Higher
10 Education”—

11 (1) the second reference to the provision speci-
12 fying \$1,000,000 for the University of Massachu-
13 setts-Boston to purchase research equipment and
14 technology infrastructure shall be deleted;

15 (2) the provision specifying \$500,000 for Har-
16 ford County Public Schools, Bel Air, MD, for sup-
17 port of a math and science magnet school program
18 at Aberdeen High School shall be deleted and a pro-
19 vision shall be added that reads: “American Acad-
20 emy of Liberal Education, Washington, D.C., to de-
21 velop projects and survey best practices in the study
22 of American democracy and principles of free gov-
23 ernment at colleges and universities, \$100,000”;

24 (3) the provision specifying \$100,000 for Slip-
25 pery Rock University, Slippery Rock, PA, for Knowl-

1 edge Pointe at Cranberry Woods, as part of an ini-
2 tiative to provide life-long educational services to
3 Pittsburgh’s regional industry and community resi-
4 dents shall be deemed to read as follows: “Regional
5 Learning Alliance, Marshall Township in Allegheny
6 County, PA, as part of an initiative to provide life-
7 long educational services to Pittsburgh’s regional in-
8 dustry and community residents, \$200,000”;

9 (4) the provision specifying \$150,000 for
10 Beresford Community Education in Beresford, SD
11 to expand community education programs shall be
12 deleted;

13 (5) the provision specifying \$100,000 for Slip-
14 pery Rock University, Slippery Rock, Pennsylvania,
15 for the North Hill Educational Alliance shall be de-
16 leted; and

17 (6) the provision specifying \$250,000 to the
18 National Aviary Conservation Education Technology
19 Integration in Pittsburgh shall be deemed to read as
20 follows: “National Aviary Conservation Education
21 Technology Integration in Pittsburgh, for the Re-
22 mote Audio-Visual Engagement Network (RAVEN)
23 project, \$250,000”.

1 DEPARTMENT OF EDUCATION

2 GENERAL PROVISION

3 Section 1707(3) of the Elementary and Secondary
4 Education Act of 1965 (20 U.S.C. 6537(3)) is amended
5 by striking “17” and inserting “19”.

6 RELATED AGENCIES

7 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

8 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING

9 EXPENSES

10 The matter under the heading “Corporation for Na-
11 tional and Community Service, Domestic Volunteer Serv-
12 ice Programs, Operating Expenses”, in Public Law 108–
13 7 is amended by inserting “for activities authorized by sec-
14 tion 122 of Part C of Title I and Part E of Title II of
15 the Domestic Volunteer Service Act of 1973” after “in
16 this Act”.

17 CHAPTER 6

18 SUBCOMMITTEE ON LEGISLATIVE BRANCH

19 CAPITOL POLICE

20 TRANSFER OF LIBRARY OF CONGRESS POLICE. Sec-
21 tion 1015(a)(3) of the Legislative Branch Appropriations
22 Act, 2003, is amended by inserting “, or, if earlier, on
23 February 20, 2005” before the period.

1 CHAPTER 7
 2 SUBCOMMITTEE ON TRANSPORTATION, TREASURY AND
 3 GENERAL GOVERNMENT
 4 DEPARTMENT OF TRANSPORTATION

5 (a) Section 336 of Division I of Public Law 108–7
 6 is amended by striking “transportation management” and
 7 inserting in lieu thereof “urbanized”.

8 (b) Section 321 of Division I of Public Law 108–7
 9 is amended by—

10 (1) inserting “or underneath” in subsection
 11 (q)(2) before “the Class B airspace”;

12 (2) deleting “has sufficient capacity and” in
 13 subsection (q)(3) after “Title 49”; and

14 (3) inserting “passenger” in subsection (q)(3)
 15 before “delays”.

16 CHAPTER 8
 17 SUBCOMMITTEE ON VETERANS AFFAIRS AND HOUSING
 18 AND URBAN DEVELOPMENT AND INDEPENDENT
 19 AGENCIES
 20 DEPARTMENT OF HOUSING AND URBAN
 21 DEVELOPMENT

22 COMMUNITY DEVELOPMENT FUND

23 The referenced statements of managers under the
 24 heading “Community development fund” in title II of
 25 Public Law 108–7 under grant No. 26 under the Neigh-

1 borhoods Initiative program is amended by striking “Glen-
2 dale, Montana” and inserting in lieu thereof “Gendive,
3 Montana”.

4 The referenced statements of managers under the
5 heading “Community development fund” in title II of
6 Public Law 106–377 is amended by striking “\$200,000
7 for Light of Life Ministries in Allegheny County, Pennsyl-
8 vania for infrastructure improvements at the Serenity Vil-
9 lage homeless programs” and inserting in lieu thereof
10 “\$200,000 for Light of Life Ministries in Allegheny Coun-
11 ty, Pennsylvania for renovation and infrastructure im-
12 provements for a homeless service center on Penn Avenue
13 in Pittsburgh”.

14 MANAGEMENT AND ADMINISTRATION

15 SALARIES AND EXPENSES

16 Under the heading “Salaries and expenses” in title
17 II of Public Law 108–7, strike out in the eighth proviso
18 “and all other statutes and regulations related to the obli-
19 gation and expenditure of funds made available in this,
20 or any other Act” and strike out in the eleventh proviso
21 “and all other statutes and regulations governing the obli-
22 gation and expenditure of funds made available in this or
23 any other Act”.

1 INDEPENDENT AGENCIES
2 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
3 NATIONAL AND COMMUNITY SERVICE PROGRAMS
4 OPERATING EXPENSES

5 To liquidate obligations previously incurred by the
6 Corporation for National and Community Service (“Cor-
7 poration”), up to \$64,000,000 is provided to the National
8 Service Trust: *Provided*, That the Corporation may use
9 these funds only to liquidate the deficiency that it has al-
10 ready incurred and that these funds are not available for
11 obligation, or to liquidate obligations, for any other pur-
12 pose whatsoever: *Provided further*, That the Corporation
13 may not use these funds unless and until it reports these
14 overobligations to the Congress and the President in ac-
15 cordance with the requirements of the Antideficiency Act
16 and the guidance of the Office of Management and Budget
17 in OMB Circular A–11 (2002): *Provided further*, That the
18 second proviso under the heading “Corporation for Na-
19 tional and Community Service” in Public Law 108–7 is
20 deemed to be amended by inserting after “section
21 501(a)(4)” the following: “with not less than \$2,500,000
22 for the Office of the Chief Financial Officer to enact finan-
23 cial reform in the Corporation, without regard to the pro-
24 visions of section 501(a)(4)(B) of the Act”.

1 TITLE III—COLUMBIA ORBITER MEMORIAL ACT

2 **SECTION 301. SHORT TITLE.**

3 This title may be cited as the “Columbia Orbiter Me-
4 morial Act”.

5 **SEC. 302. CONSTRUCTION OF MEMORIAL TO CREW OF CO-**6 **LUMBIA ORBITER AT ARLINGTON NATIONAL**7 **CEMETERY.**

8 (a) CONSTRUCTION REQUIRED.—The Secretary of
9 the Army shall, in consultation with the Administrator of
10 the National Aeronautics and Space Administration, con-
11 struct at an appropriate place in Arlington National Cem-
12 etery, Virginia, a memorial marker honoring the seven
13 members of the crew of the Columbia Orbiter who died
14 on February 1, 2003, over the State of Texas during the
15 landing of space shuttle mission STS–107.

16 (b) AVAILABILITY OF FUNDS.—Of the amount appro-
17 priated or otherwise made available by title II of the De-
18 partment of Defense Appropriations Act, 2003 (Public
19 Law 107–248) under the heading “OPERATION AND
20 MAINTENANCE, ARMY”, \$500,000 shall be available for
21 the construction of the memorial marker required by sub-
22 section (a).

1 **SEC. 303. DONATIONS FOR MEMORIAL FOR CREW OF CO-**
2 **LUMBIA ORBITER.**

3 (a) **AUTHORITY TO ACCEPT DONATIONS.**—The Ad-
4 ministrator of the National Aeronautics and Space Admin-
5 istration may accept gifts and donations of services,
6 money, and property (including personal, tangible, or in-
7 tangible property) for the purpose of an appropriate me-
8 morial or monument to the seven members of the crew
9 of the Columbia Orbiter who died on February 1, 2003,
10 over the State of Texas during the landing of space shuttle
11 mission STS–107, whether such memorial or monument
12 is constructed by the Administrator or is the memorial
13 marker required by section 302.

14 (b) **TRANSFER.**—(1) The Administrator may transfer
15 to the Secretary of the Army any services, money, or prop-
16 erty accepted by the Administrator under subsection (a)
17 for the purpose of the construction of the memorial mark-
18 er required by section 302.

19 (2) Any moneys transferred to the Secretary under
20 paragraph (1) shall be merged with amounts in the ac-
21 count referred to in subsection (b) of section 302, and
22 shall be available for the purpose referred to in that sub-
23 section.

24 (c) **EXPIRATION OF AUTHORITY.**—The authority of
25 the Administrator to accept gifts and donations under

1 subsection (a) shall expire five years after the date of the
2 enactment of this Act.

3 **TITLE IV—AVIATION INDUSTRY**
4 **RELIEF PROVISIONS**

5 **SEC. 401. TEMPORARY SUSPENSION OF SECURITY SERVICE**
6 **FEES.**

7 The Undersecretary of Homeland Security for Border
8 and Transportation Security shall not impose the fees au-
9 thorized by section 44940(a) of title 49, United States
10 Code, during the period beginning on April 1, 2003, and
11 ending on September 30, 2003.

12 **SEC. 402. REIMBURSEMENT OF AIRLINES FOR CERTAIN IN-**
13 **CREASED SECURITY COSTS.**

14 There are appropriated to the Secretary of Transpor-
15 tation for fiscal year 2003 \$1,000,000,000, such sums to
16 remain available until expended, \$600,000,000 of which
17 shall be used to reimburse each air carrier engaged in air
18 transportation and intrastate air transportation of pas-
19 sengers for compensation (as such terms are used in sub-
20 title VII of title 49, United States Code) for the amount
21 by which the costs incurred by such air carrier during cal-
22 endar year 2002 in complying with aviation security re-
23 quirements imposed by Federal law, including require-
24 ments imposed by the Transportation Security Adminis-
25 tration, exceeded the aviation security costs the carrier

1 would have incurred during that year in the absence of
2 those requirements, and \$400,000,000 of which shall be
3 used to reimburse each such air carrier for the amount
4 by which the costs incurred by the air carrier during cal-
5 endar year 2003 exceeded the aviation security costs the
6 carrier would have incurred during that year in the ab-
7 sence of those requirements, such costs to be determined
8 by studies conducted by the air carriers in accordance with
9 guidelines to be developed, within 30 days after the date
10 of enactment of this Act, by the Undersecretary of Home-
11 land Security for Border and Transportation Security in
12 consultation with the Secretary of Transportation, de-
13 scribing in detail, by function, amount, and class (includ-
14 ing operating expenses, capital expenditures, and one time
15 and recurring costs), the costs for which reimbursement
16 is sought: *Provided*, That the Inspector General of the De-
17 partment of Transportation certifies the guidelines as
18 being appropriate to determine such costs: *Provided fur-*
19 *ther*, That the Inspector General certifies as complete and
20 accurate all claims submitted by an air carrier for reim-
21 bursement under this section, and: *Provided further*, That
22 if the sum of the costs to be reimbursed to all such air
23 carriers for 2002 exceeds \$600,000,000, the amount of
24 the reimbursement to each such carrier shall be an
25 amount that bears the same ratio to \$600,000,000 as the

1 reimbursable cost of that carrier bears to the sum of the
2 reimbursable costs of all such carriers for that year, and
3 if the sum of the costs to be reimbursed to all such air
4 carriers for 2003 exceeds \$400,000,000, the amount of
5 the reimbursement to each such carrier shall be an
6 amount that bears the same ratio to \$400,000,000 as the
7 reimbursable cost of that carrier bears to the sum of the
8 reimbursable costs of all such carriers for that year.

9 **SEC. 403. ADDITIONAL AMOUNT FOR COCKPIT DOOR REIM-**
10 **BURSEMENT.**

11 In addition to amounts appropriated under the pre-
12 ceding section, there are appropriated to the Secretary of
13 Transportation \$100,000,000, to remain available until
14 expended, to compensate air carriers for the direct costs
15 associated with the strengthening of flight deck doors and
16 locks on aircraft required by section 104(a)(1)(B) of the
17 Aviation and Transportation Security Act.

18 **SEC. 404. AIRPORT SECURITY EXPENSES AND INVESTMENT.**

19 There are appropriated to the Secretary of Transpor-
20 tation \$375,000,000, to remain available until expended,
21 to be made available, after consultation with the Secretary
22 of Homeland Security, to airports for operating expenses
23 and capital investment related to improvements in aviation
24 security: *Provided*, That the amounts made available for
25 capital expenses shall be made available to airport spon-

1 sors, as such term is used in chapter 471 of title 49,
2 United States Code, on such terms and conditions, and
3 pursuant to such applications, similar to the terms, condi-
4 tions, and applications applicable to amounts made avail-
5 able under that chapter.

6 **SEC. 405. EXTENSION OF WAR RISK INSURANCE AUTHOR-**
7 **ITY.**

8 (a) **EXTENSION OF POLICIES.**—Section 44302(f)(1)
9 of title 49, United States Code, is amended by striking
10 “2003,” each place it appears and inserting “2004,”.

11 (b) **EXTENSION OF LIABILITY LIMITATION.**—Section
12 44303(b) of such title is amended by striking “2003,” and
13 inserting “2004,”.

14 (c) **EXTENSION OF AUTHORITY.**—Section 44310 of
15 such title is amended by striking “2003.” and inserting
16 “2004.”.

17 **SEC. 406. LIMIT ON EXECUTIVE COMPENSATION REQUIRED**
18 **FOR EXTENDED WAR RISK INSURANCE COV-**
19 **ERAGE.**

20 (a) **IN GENERAL.**—Notwithstanding any provision of
21 law to the contrary, the Secretary of Transportation may
22 not provide insurance or reinsurance under chapter 443
23 of title 49, United States Code, after August 31, 2003,
24 and before January 1, 2005, to an air carrier operating
25 aircraft for the transportation of passengers for com-

1 pensation unless that air carrier executes a contract with
2 the Secretary under which the air carrier agrees that—

3 (1) it will not provide total compensation during
4 the 12-month period beginning on April 1, 2003, or
5 the subsequent 12-month period, to an executive of-
6 ficer in an amount equal to more than the annual
7 salary paid to that officer during the air carrier’s
8 fiscal year 2002; and

9 (2) if the air carrier violates its agreement
10 under paragraph (1), it will pay to the Secretary of
11 the Treasury, within 60 days after the date on which
12 the violation occurs, an amount, determined by the
13 Secretary of Transportation, equal to the difference
14 between—

15 (A) the amount it paid for insurance pro-
16 vided or reinsured under chapter 443 of such
17 title for the 12-month period in which the viola-
18 tion occurred; and

19 (B) the amount it would have paid for the
20 same or similar insurance coverage for that pe-
21 riod if the insurance had not been provided or
22 reinsured under that chapter.

23 (b) EXECUTIVE OFFICERS EMPLOYED FOR LESS
24 THAN 12 MONTHS IN FISCAL YEAR 2002 OR WHOSE EM-
25 PLOYMENT COMMENCED AFTER FISCAL YEAR 2002.—

1 For the purpose of applying subsection (a)(1) to an execu-
2 tive officer—

3 (1) who was employed by an air carrier for less
4 than 12 months during the air carrier's fiscal year
5 2002, or whose employment began after the last day
6 of the last fiscal year of such air carrier ending be-
7 fore the date of enactment of this Act—

8 (A) the salary paid to that executive officer
9 in that air carrier's fiscal year 2002, or in the
10 next fiscal year of that air carrier (if such next
11 fiscal year began before the date of enactment
12 of this Act), respectively, shall be determined as
13 an annual rate of pay;

14 (B) that annual rate of pay shall be treat-
15 ed as if it were the annual salary paid to that
16 executive officer during that air carrier's fiscal
17 year 2002; and

18 (C) that executive officer shall be deemed
19 to have been employed during that fiscal year;
20 and

21 (2) whose employment begins after the date of
22 enactment of this Act—

23 (A) the annual salary at which that execu-
24 tive officer is first employed by an air carrier
25 may not exceed the maximum salary paid to

1 any executive officer by that air carrier during
2 that air carrier's fiscal year 2002 with the same
3 or similar responsibilities;

4 (B) that salary shall be treated as if it
5 were the annual salary paid to the executive of-
6 ficer during that air carrier's fiscal year 2002;
7 and

8 (C) the executive officer shall be deemed to
9 have been employed by that air carrier during
10 that air carrier's fiscal year 2002.

11 (c) **AUDIT AUTHORITY.**—The Comptroller General,
12 or any of the Comptroller General's duly authorized rep-
13 resentatives, shall have access for the purpose of audit and
14 examination to any books, accounts, documents, papers,
15 and records of such air carriers that relate to the informa-
16 tion required to implement subsection (a). The Comp-
17 troller General shall transmit a report of any investigation
18 conducted under this subsection to the Senate Committee
19 on Appropriations, the Senate Committee on Commerce,
20 Science, and Transportation, the House of Representa-
21 tives Committee on Appropriations, and the House of Rep-
22 resentatives Committee on Transportation and Infrastruc-
23 ture, together with a certification as to whether the Comp-
24 troller General has had access to sufficient information to

1 make informed judgments on the matters covered by the
2 report.

3 (d) DEFINITIONS.—In this section:

4 (1) EXECUTIVE OFFICER.—The term “executive
5 officer” means a named executive officer (as that
6 term is used in section 402(a)(3) of Regulation S-
7 K promulgated by the Securities and Exchange
8 Commission under the Securities Exchange Act of
9 1934 (17 C.F.R. 229.402(a)(3))).

10 (2) TOTAL COMPENSATION.—The term “total
11 compensation” has the meaning given that term by
12 section 104(b) of the Air Transportation Safety and
13 System Stabilization Act (49 U.S.C. 40101 note),
14 but does not include amounts paid, under a contract,
15 retirement plan, or other legally binding arrange-
16 ment in effect on March 26, 2003, to an executive
17 officer on account of that executive’s retirement or
18 termination of employment.

19 **SEC. 407. GAO REPORT ON AIRLINES ACTIONS TO IMPROVE**
20 **FINANCES AND ON EXECUTIVE COMPENSA-**
21 **TION.**

22 (a) FINDING.—The Congress finds that the United
23 States government has by law provided substantial finan-
24 cial assistance to United States commercial airlines in the
25 form of war risk insurance and reinsurance and other eco-

1 nomic benefits and has imposed substantial economic and
2 regulatory burdens on those airlines. In order to determine
3 the economic viability of the domestic commercial airline
4 industry and to evaluate the need for additional measures
5 or the modification of existing laws, the Congress needs
6 more frequent information and independently verified in-
7 formation about the financial condition of these airlines.

8 (b) SEMIANNUAL REPORTS.—The Comptroller Gen-
9 eral shall prepare a semiannual report to the Congress—

10 (1) analyzing measures being taken by air car-
11 riers engaged in air transportation and intrastate air
12 transportation (as such terms are used in subtitle
13 VII of title 49, United States Code) to reduce costs
14 and to improve their earnings and profits and bal-
15 ance sheets; and

16 (2) stating—

17 (A) the total compensation (as defined in
18 section 104(b) of the Air Transportation Safety
19 and System Stabilization Act (49 U.S.C. 40101
20 note)) paid by the air carrier to each officer or
21 employee of that air carrier to whom that sec-
22 tion applies for the period to which the report
23 relates; and

24 (B) the terms and value (determined on
25 the basis of the closing price of the stock on the

1 last business day of the period to which the re-
2 port relates) of any stock options awarded to
3 such officer during that period.

4 (c) GAO AUTHORITY.—In order to compile the re-
5 ports required by subsection (b), the Comptroller General,
6 or any of the Comptroller General’s duly authorized rep-
7 resentatives, shall have access for the purpose of audit and
8 examination to any books, accounts, documents, papers,
9 and records of such air carriers that relate to the informa-
10 tion required to compile the reports. The Comptroller Gen-
11 eral shall submit with each such report a certification as
12 to whether the Comptroller General has had access to suf-
13 ficient information to make informed judgments on the
14 matters covered by the report.

15 (d) REPORTS TO CONGRESS.—The Comptroller Gen-
16 eral shall transmit the compilation of reports required by
17 subsection (c) to Senate Committee on Appropriations, the
18 Senate Committee on Commerce, Science, and Transpor-
19 tation, the House of Representatives Committee on Appro-
20 priations, and the House of Representatives Committee on
21 Transportation and Infrastructure.

22 **SEC. 408. AIR CARRIERS TO SUBMIT OPERATIONAL EX-**
23 **PENSE REDUCTION PLANS.**

24 (a) IN GENERAL.—Each air carrier that receives fi-
25 nancial assistance under this Act shall transmit a plan to

1 the Comptroller General within 90 days after the date of
 2 enactment of this Act that, if implemented, will reduce
 3 that air carrier's annual operating expenses by an amount
 4 equal to the greater of—

5 (1) 10 percent of that carrier's annual oper-
 6 ating expenses determined as of June 15, 2002; or

7 (2) the amount of financial assistance that air
 8 carrier has received or will receive under this Act.

9 (b) OPERATING EXPENSES.—In determining annual
 10 operating expenses for purposes of this section, an air car-
 11 rier shall compute operating expenses attributable to fuel
 12 on the basis of the average price of such fuel for June
 13 15, 2002.

14 **SEC. 409. ADDITIONAL TEMPORARY EXTENDED UNEMPLOY-**
 15 **MENT COMPENSATION FOR DISPLACED AIR-**
 16 **LINE RELATED WORKERS.**

17 (a) DEFINITIONS.—For purposes of this section—

18 (1) the term “eligible individual” means an in-
 19 dividual whose eligibility for temporary extended un-
 20 employment compensation under the Temporary Ex-
 21 tended Unemployment Compensation Act of 2002
 22 (Public Law 107–147; 116 Stat. 21), as amended by
 23 Public Law 108–1 (117 Stat. 3), is or would be
 24 based on the exhaustion of regular compensation,
 25 entitlement to which was based in whole or in part

1 on qualifying employment performed during such in-
2 dividual's base period;

3 (2) the term "qualifying employment", with re-
4 spect to an eligible individual, means employment—

5 (A) with an air carrier, employment at a
6 facility at an airport, that involves the provision
7 of transportation to or from an airport, or with
8 an upstream producer or supplier for an air
9 carrier; and

10 (B) as determined by the Secretary, sepa-
11 ration from which was due, in whole or in part,
12 to—

13 (i) reductions in service by an air car-
14 rier as a result of a terrorist action or se-
15 curity measure;

16 (ii) a closure of an airport in the
17 United States as a result of a terrorist ac-
18 tion or security measure; or

19 (iii) a military conflict with Iraq that
20 has been authorized by Congress;

21 (3) the term "air carrier" means an air carrier
22 that holds a certificate issued under chapter 411 of
23 title 49, United States Code;

24 (4) the term "upstream producer" means a
25 firm that performs additional, value-added, produc-

1 tion processes, including firms that perform final as-
2 sembly, finishing, or packaging of articles, for an-
3 other firm;

4 (5) the term “supplier” means a firm that pro-
5 duces component parts for, or articles and contract
6 services considered to be a part of the production
7 process or services for, another firm;

8 (6) the term “Secretary” means the Secretary
9 of Labor; and

10 (7) the term “terrorist action or security meas-
11 ure” means a terrorist attack on the United States
12 on September 11, 2001, or a security measure taken
13 in response to such attack.

14 (b) ADDITIONAL TEMPORARY EXTENDED UNEM-
15 PLOYMENT COMPENSATION FOR ELIGIBLE EMPLOY-
16 EES.—In the case of an eligible employee, the Temporary
17 Extended Unemployment Compensation Act of 2002
18 (Public Law 107–147; 116 Stat. 21), as amended by Pub-
19 lic Law 108–1 (117 Stat. 3), shall be applied as if it had
20 been amended in accordance with subsection (c).

21 (c) MODIFICATIONS.—

22 (1) IN GENERAL.—For purposes of subsection
23 (b), the Temporary Extended Unemployment Com-
24 pensation Act of 2002 (Public Law 107–147; 116
25 Stat. 21), as amended by Public Law 108–1 (117

1 Stat. 3), shall be treated as if it had been amended
2 as provided in this subsection.

3 (2) PROGRAM EXTENSION.—Deem section 208
4 of the Temporary Extended Unemployment Com-
5 pensation Act of 2002, as amended by Public Law
6 108–1 (117 Stat. 3), to be amended to read as fol-
7 lows:

8 **“SEC. 208. APPLICABILITY.**

9 “(a) IN GENERAL.—Subject to subsection (b), an
10 agreement entered into under this title shall apply to
11 weeks of unemployment—

12 “(1) beginning after the date on which such
13 agreement is entered into; and

14 “(2) ending before December 29, 2003.

15 “(b) TRANSITION FOR AMOUNT REMAINING IN AC-
16 COUNT.—

17 “(1) IN GENERAL.—Subject to paragraph (2),
18 in the case of an individual who has amounts re-
19 maining in an account established under section 203
20 as of December 28, 2003, temporary extended un-
21 employment compensation shall continue to be pay-
22 able to such individual from such amounts for any
23 week beginning after such date for which the indi-
24 vidual meets the eligibility requirements of this title,
25 including such compensation payable by reason of

1 amounts deposited in such account after such date
 2 pursuant to the application of subsection (c) of such
 3 section.

4 “(2) LIMITATION.—No compensation shall be
 5 payable by reason of paragraph (1) for any week be-
 6 ginning after December 26, 2004.”.

7 (3) ADDITIONAL WEEKS OF BENEFITS.—Deem
 8 section 203 of the Temporary Extended Unemploy-
 9 ment Compensation Act of 2002, as amended by
 10 Public Law 108–1 (117 Stat. 3), to be amended—

11 (A) in subsection (b)(1)—

12 (i) in subparagraph (A), by striking
 13 “50” and inserting “150”; and

14 (ii) by striking “13” and inserting
 15 “39”; and

16 (B) in subsection (c)(1), by inserting “ $\frac{1}{3}$
 17 of” after “equal to”.

18 (4) EFFECTIVE DATE OF MODIFICATIONS DE-
 19 SCRIBED IN PARAGRAPH (3).—

20 (A) IN GENERAL.—The amendments de-
 21 scribed in paragraph (3)—

22 (i) shall be deemed to have taken ef-
 23 fect as if included in the enactment of the
 24 Temporary Extended Unemployment Com-
 25 pensation Act of 2002; but

1 (ii) shall be treated as applying only
2 with respect to weeks of unemployment be-
3 ginning on or after the date of enactment
4 this Act, subject to subparagraph (B).

5 (B) SPECIAL RULES.—In the case of an el-
6 igible individual for whom a temporary ex-
7 tended unemployment account was established
8 before the date of enactment of this Act, the
9 Temporary Extended Unemployment Com-
10 pensation Act of 2002 (as amended by this sec-
11 tion) shall be applied subject to the following:

12 (i) Any amounts deposited in the indi-
13 vidual’s temporary extended unemployment
14 compensation account by reason of section
15 203(c) of such Act (commonly known as
16 “TEUC–X amounts”) before the date of
17 enactment of this Act shall be treated as
18 amounts deposited by reason of section
19 203(b) of such Act (commonly known as
20 “TEUC amounts”), as deemed to have
21 been amended by paragraph (3)(A).

22 (ii) For purposes of determining
23 whether the individual is eligible for any
24 TEUC–X amounts under such Act, as

1 deemed to be amended by this sub-
2 section—

3 (I) any determination made
4 under section 203(c) of such Act be-
5 fore the application of the amendment
6 described in paragraph (3)(B) shall be
7 disregarded; and

8 (II) any such determination shall
9 instead be made by applying section
10 203(c) of such Act, as deemed to be
11 amended by paragraph (3)(B)—

12 (aa) as of the time that all
13 amounts established in such ac-
14 count in accordance with section
15 203(b) of such Act (as deemed to
16 be amended under this sub-
17 section, and including any
18 amounts described in clause (i))
19 are in fact exhausted, except that

20 (bb) if such individual's ac-
21 count was both augmented by
22 and exhausted of all TEUC-X
23 amounts before the date of enact-
24 ment of this Act, such determina-
25 tion shall be made as if exhaus-

1 tion (as described in section
2 203(c)(1) of such Act) had not
3 occurred until such date of enact-
4 ment.

5 This Act may be cited as the “Supplemental Appro-
6 priations Act to Support Department of Defense Oper-
7 ations in Iraq for Fiscal Year 2003”.

Calendar No. 59

108TH CONGRESS
1ST SESSION

S. 762

[Report No. 108-33]

A BILL

Making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

APRIL 1, 2003

Read twice and placed on the calendar