making further continuing appropriations for the fiscal year 2003, and for other purposes.

SA 2. Mr. Byrd proposed an amendment to the joint resolution. H.J. Res. 2, supra, which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1. Mr. Stevens proposed an amendment to the joint resolution. H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; as follows:

Title I

Agricultural Programs

For necessary expenses of the Office of the Secretary, Agriculture, and not to exceed $15,685,000 for employment under 5 U.S.C. 3109, $4,157,000 for payment of space rental and related costs, and for other expenses, not otherwise provided for, as determined by the Secretary.

Executive Operations

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and for the participation of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $11,000 is for employment under 5 U.S.C. 3109, $4,312,000, provided, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

Office of the Chief Information Officer

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $7,877,000; provided, That the Chief Information Officer shall be responsible for managing information services and computing activities of the National Finance Center.

Office of the Assistant Secretary for Civil Rights

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

Office of the Assistant Secretary for Administration

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

Agriculture Buildings and Facilities and Rental Payments (Including Transfers of Funds)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture for the rental of buildings and related facilities, and for related costs, $197,662,000, to remain available until expended.

Agricultural Outreach

That the Secretary of Agriculture may transfer a share of that agency’s appropriation made available by this Act to the programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and which constitutes agencies transferred space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improve ment, and repair of buildings and facilities, and for related costs, $78,127,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 8(a)(9) of the Inspector General Act of 1978, of which not to exceed $50,000 is for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers’ bulletin.

Office of the Inspector General

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $1,000,000 is for employment under 5 U.S.C. 3109, $78,127,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 8(a)(9) of the Inspector General Act of 1978, of which not to exceed $50,000 is for employment under 5 U.S.C. 3109, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1357 of Public Law 95–452.

Office of the General Counsel

For necessary expenses of the Office of the General Counsel, $35,588,000.

Office of the Under Secretary for Research, Education, and Economics

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education, and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $780,000.
ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Act of 1949 (7 U.S.C. 2225) and other laws, $61,123,000: Provided, That this appropriation shall be available for the National Agricultural Statistics Service in conducting statistical research and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture by 7 U.S.C. 2225a and 2225g, and other laws, $140,854,000, of which up to $41,274,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical research and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture by 7 U.S.C. 2225a and 2225g, and other laws, $140,854,000, of which up to $41,274,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

SAALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home and foreign purchases of agricultural commodities for research; and home and foreign purchases of research equipment, not to exceed $215,982,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $15,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided for, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current year's cost of the building. Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 1361 et seq.) Provided further, That the foregoing limitations shall not apply to replacement of buildings received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products. In lieu of section 360 of the Hatch Act of 1986 (7 U.S.C. 551 et seq.), for relocation or payment of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $100,955,000, to remain available until expended: Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For acquisition of land, construction, re- pair, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $100,955,000, to remain available until expended: Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION ACTIVITIES

RESEARCH AND EDUCATION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $652,767,000, as follows: for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for research, extension, and education activities, grants for cooperative extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,500,000; payments for the nutrition and family education program for low-income families, under section 3(d) of the Act, $56,566,000; payments for the pest management program under section 3(d) of the Act, $10,759,000; payments for the farm safety program under section 3(d) of said Act, $5,250,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University,Extension activities, $15,000,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Act, $5,000,000; payments for rural health and safety education as authorized by section 522(1) of Public Law 92–419 (7 U.S.C. 2662(a)), $2,622,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $32,117,000, of which $1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; and for necessary expenses of extension activities, $20,666,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension cooperative planning and competitive programs, including necessary administrative expenses, as authorized under section 406 of the Agricultural Research, Extension, and Education Act of 1998 (7 U.S.C. 7591 et seq.) as follows: payments for the water quality program, $12,971,000; payments for the food safety program, $13,967,000; payments for the rural development program, $4,531,000; payments for the Food Quality Protection Act risk mitigation program for...
major food crop systems, $4,889,000; pay-
ments for the crops affected by Food Quality
Protection Act implementation, $1,497,000; pay-
ments for the methyl bromide transition pro-
gram, $10,475,000; and payments for the mine re-
clamation transition program, $1,750,000; and payments for
agricultural technology, $2,600,000: Provided,
That of the funds made available under this heading, $3,493,000, to remain available until ex-
ished.

Service; and the Grain Inspection, Packers
and Stockyards Act, for certifying proce-
dures used to protect purchasers of farm prod-
ucts, and the standardization activities related to its grain under the Grain Inspec-
tion, Packers and Stockyards Act of 1946, including field employ-
ment pursuant to the second sentence of sec-
tion 706(a) of the Organic Act of 1944 (7 U.S.C. 2255), and not to exceed $25,000 for employ-
ment under 5 U.S.C. 3109, $44,475,000: Pro-
vided. That this appropriation shall be avail-
able pursuant to law (7 U.S.C. 2255) for the
management, extension, alteration, and pur-
chase of fixed equipment or facilities, as au-
thorized by 7 U.S.C. 2255, and acquisition of
land as authorized by 7 U.S.C. 428a, $13,189,000, to remain available until ex-
ished.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS
For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer pro-
grams under the laws enacted by the Congres-
ses of 1990 (7 U.S.C. $3,493,000, to remain available until ex-
ished.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE
SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)
For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $715,670,000, of which $1,103,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds in the extent necessary to meet emer-
gency conditions; of which $62,000,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retire-
ment for active eradication zones: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not re-
quire minimum matching by the States of at
least 40 percent: Provided further, That this appropriation shall be available for field em-
ployment pursuant to the second sentence of sec-
tion 706(a) of the Organic Act and the Commodity Credit Corporation, $899,000. For 1994 (7 U.S.C. 2255) and not exceed $90,000 for employment under 5 U.S.C. 3109, $75,411,000, including funds for the wholesale mar-
ket development program for the design and development of wholesale and farmer mar-
ket facilities in the most metropolitan areas of the country: Provided, That this ap-
propriation shall be available pursuant to law (7 U.S.C. 2255) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building. Fees may be collected for the cost of stand-
adization activities, as established by regu-
lation pursuant to law (31 U.S.C. 7901).

LIMITATION ON ADMINISTRATIVE EXPENSES
Not to exceed $61,619,000 (from fees col-
lected) shall be obligated during the current fiscal year for administrative expenses: Pro-\nvided, That if any authorized or other uncontrollable factors occur, the agen-
cy may exceed this limitation by up to 10 percent with notification to the Committee on Appropriations of both Houses of Congres-
s.

Funds for Strengthening Markets, Income, and Supply (section 32) (INCLUDING TRANSFERS OF FUNDS)
Funds available under section 32 of the Act of
August 24, 1935 (7 U.S.C. 621c), shall be used only for commodity program expenses as authorized therein, and other related op-
erating expenses: Provided, That (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1966; (2) transfers otherwise provided in this Act; and (3) not more than $14,910,000 for for-
mulation and administration of marketing agreements and orders pursuant to the Agri-
cultural Marketing Agreement Act of 1937 and the Agricultural Marketing Agreement Act of 1946 (7 U.S.C. 1623(b)), shall be used.

PAYMENTS TO STATES AND POSSESSIONS
For payments to departments of agri-
culture, bureaus and departments of mar-
kets, and similar agencies for marketing ac-
tivities under section 204(b) of the Agri-
cultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,347,000.

Thus the agency is authorized to collect fees to cover the total costs of pro-
viding technical assistance, goods, or serv-
cies requested by States, other political sub-
divisions, international organizations, or individuals, provided that such fees are structured such that any entity’s liability for such fees is reasonably based on technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until ex-
ished, to cover, in whole or in part, the cost of providing such assistance, goods, or services.

BUILDINGS AND FACILITIES
For plans, construction, repair, preventive maintenance, environmental support, im-
pairment of buildings and improvements, and the purchase of fixed equipment or facilities, as au-
thorized by 7 U.S.C. 2255, and acquisition of
land as authorized by 7 U.S.C. 428a, $13,189,000, to remain available until ex-
ished.

Agricultural Marketing Service
Marketing Services
For necessary expenses to carry out serv-
ices related to consumer protection, agricul-
tural marketing and distribution, transpor-
tation, and regulatory programs, as author-
ized by law, and for administration and co-
ordination of activities, including field employ-
ment pursuant to the second sentence of sec-
tion 706(a) of the Organic Act and the Commodity Credit Corporation, $899,000.

LIMITATION ON INSPECTION AND WEIGHTING SERVICES EXPENSES
Not to exceed $42,463,000 (from fees col-
lected) shall be obligated during the current fiscal year for inspection and weighing serv-
ices: Provided, That if any authorized or other uncontrollable factors occur, the agen-
cy may exceed this limitation by up to 10 per-
cent with notification to the Committees on Appropriations of both Houses of Congress.

Office of the Under Secretary for Food Safety
For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $780,000.

Food Safety and Inspection Service
For necessary expenses to carry out serv-
ices authorized by the Federal Meat Inspec-
tion Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, includ-
ing not to exceed $50,000 for representa-
tion allowances and for expenses pursuant
section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $759,759,000, of which no
less than $649,082,000 shall be available for Federal food safety inspection; and in addi-
tion, $1,000,000 may be credited to this ac-
count from fees collected for the cost of lab-
ors’ accreditation pursuant to the second sec-
tion 1327 of the Food, Agriculture, Conserva-
tion and Trade Act of 1990 (7 U.S.C. 1381): Pro-
vided, That this appropriation shall be avail-
able for field employment pursuant to the
second sentence of section 706(a) of the Or-
ganic Act of 1944 (7 U.S.C. 2255), and not to exceed $75,000 shall be available for employ-
ment under 5 U.S.C. 3109: Provided further,
That this appropriation shall be available pursuant to law (7 U.S.C. 2255) for the alter-
ation and repair of buildings and improve-
ments, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Office of the Under Secretary for Farm and Foreign Agricultural Services
For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $899,000.

Farm Service Agency
SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)
For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service
Agency, $396,913,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make payments for all or a portion of the cost of contracts and commitments not exceeding $1,000,000, to be made available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2255), and not to exceed $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1967 (7 U.S.C. 5102(b)), $4,000,000.

DAIRY INDEMNITY PROGRAM

For necessary expenses involved in making indemnity payments to dairy farmers and manure disposal contractors, a dairy indemnity program, $100,000, to remain available until expended: Provided, That such program is carried out in accordance with the provisions of the Dairy Indemnity Program Act of 1994 (7 U.S.C. 6933), $70,708,000: Provided, That not to exceed $70,708,000 shall be available for technical assistance and representation expenses, as authorized by 7 U.S.C. 1506(1).

THE FOLLOWING CORPORATIONS AND AGENCIES

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to such corporation or agency, and in accordance with such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, 31 U.S.C. 9107(a) (as carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FOR THE FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended.

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2003, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 104(a)(1) of the Act of August 17, 1961 (15 U.S.C. 713a–11).

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For fiscal year 2003, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirements of section 104(a)(5) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 9622.

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $502,000.

NATIONAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of methods to prevent floods and the silting of reservoirs and to control agricultural related pollutants; operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase; purchase of not to exceed $15,701,000 pursuant to the Act of August 3, 1961 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $840,002,000, to remain available until expended, of which not less than $9,162,000 is for snow survey and water forecasting, $25,000,000 is for the grazing lands conservation initiative, and $25,000,000 is for the Water Security Initiative. That such appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as authorized by 7 U.S.C. 3109.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the provisions of the Watershed and Flood Prevention Act (16 U.S.C. 1001–1009), $10,960,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2255), and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $105,000,000, to remain available until expended, of which not to exceed $15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1938 (16 U.S.C. 1006a–c); Provided, That not to exceed $45,514,000 of this appropriation shall be available for technical assistance: Provided further, That not to exceed $500,000 shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2255), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed $1,000,000 of this appropriation shall be available for employment pursuant to the provisions of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate, resettle, or remove species to other suitable habitats as may be necessary to expedite project construction.

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation programs, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1009), in accordance with the provisions of laws relating to the activities of the Department, $30,000,000, to remain available until expended.

CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use
pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (48 U.S.C. 5900–f); and subtitle H of title III of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $50,000,000, to remain available until expended: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

TITLE III
RURAL DEVELOPMENT PROGRAMS
OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Development Program of the Department of Agriculture, $589,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM
(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H and 381N of the Consolidated Farm and Rural Development Act, $898,176, to remain available until expended, of which $97,600 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $682,814 shall be for utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $86,762,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 381F of such Act: Provided, That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which $1,000,000 shall be available for community facilities grants to tribal, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which up to $100,000 shall be available to provide a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; Provided further, that the amount appropriated for rural community programs, $10,000,000 shall be available for a Rural Community Development Initiative: Provided further, that the amount appropriated for the Rural Community Development Initiative, not less than $4,000,000 shall be available until expended to carry out a demonstration program on Replicating and Creating Rural Cooperative Home Based Health Care: Provided further, That of the $4,000,000 made available, not less than $1,500,000 shall be for agriculture and rural development planning grants, not to exceed $50,000 each, with the balance for low-interest revolving loans to be used for capital and other related expenses, and made available to nonprofit based community development organizations: Provided further, That such organizations should demonstrate experience in the administration of revolving loan programs and providing technical assistance to cooperatives: Provided further, That a minimum of one planning grant should be awarded to a minority sponsored entity with three years experience in rural cooperative development: Provided further, That of funds appropriated for the Rural Community Development Initiative, not less than $6,000,000 shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects related to housing facilities, water, sewer, solid waste, economic development projects in rural areas: Provided further, That such funds shall be made available to qualified national and other local public intermediaries organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediaries shall be for the rural business and cooperative development programs, not to exceed $50,000,000 shall be available to a grantee to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; and $2,000,000 shall be for grants to Delta Regional Authority (7 U.S.C. 1921 et seq.): Provided further, That of the amount appropriated for the rural business and cooperative development programs, to not exceed $19,200,000 shall be for technical assistance grants for rural and waste disposal systems to the Colossals along the United States/Mexico border, including grants pursuant to section 306C(a)(14) of such Act, of which $5,775,000 shall be for Rural Community Assistance Programs; and not to exceed $12,100,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed $37,624,000 shall be available through June 30, 2003, for authorized empowerment zones and enterprise communities and communities by the Secretary as Rural Economic Area Partnership Zones; of which $1,163,000 shall be for the rural communities described in section 381E(d)(1) of such Act, of which $7,451,000 shall be for the rural utilities programs described in section 381E(d)(3) of such Act, and of which $25,000,000 shall be for technical assistance grants for rural and waste disposal systems pursuant to section 306D of such Act, with up to 1 percent available to improve interagency coordination may be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”;

Provided further, That of the amount appropriated for technical assistance grants for rural and waste disposal systems, not to exceed $25,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with 5 percent for administration and capacity building in the State rural development offices: Provided further, That of the amount appropriated, $30,000,000 shall be transferred to and merged with the “Rural Utilities Service, High Energy Cost Grants Account;” to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any funds in the “Rural Utilities Service, High Energy Cost Grants Account” and any remaining (funds not expended) in fiscal year 2002 for rural communities with extremely high energy costs under the Rural Community Advancement Program shall be merged and transferred to and used to provide grants authorized under section 19 of that Act: Provided further, That of the funds appropriated by this Act to the Rural Community Advancement Program for guaranteed business and industry loans, not more than $50,000,000 shall be available for guaranteed business and industry loans as deemed necessary by the Secretary and with prior approval of the Committees on Appropriations of both Houses of Congress.

RURAL DEVELOPMENT
SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities concerning the development and operation of agricultural cooperatives; and for cooperative agreements, $127,502,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 may be used for employment under 5 U.S.C. 3109: Provided further, That not more than $10,000 may be expended to provide modest non-monetary awards to non-USDA employees: Provided further, That not more than $1,000,000 may be available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE
RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $3,755,162,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,065,162,000 shall be for direct loans, and of which $2,750,000 shall be for unsubsidized guaranteed loans; $35,000,000 for section 504 housing repair loans; $120,000,000 for new construction, repair, rehabilitation, and preservation of section 515 rental housing; $5,000,000 for section 524 site loans; $12,000,000 for credit sales of acquired property, of which up to $2,000,000 may be for multi-family sales; and $5,011,000 for section 525 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 501, the Emergency Budget Act of 1974, as follows: section 502 loans, $211,500,000, of which $194,700,000 shall be for direct loans, and of which $19,800,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,857,000; section 515 rental housing, $55,856,000; section 524 site loans, $55,000; multi-family credit sales; and $5,011,000 for section 525 self-help housing land development loans, $21,000: Provided, That of the total amount appropriated in this section, $856,000 shall be available through June 30, 2003, for authorized empowerment zones and enterprise communities and communities designated by the Secretary as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”:

RURAL BUSINESS-COOPERATIVE SERVICE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered
into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $730,000,000; and, in addition, such sums as may be necessary, as authorized by the Government Con-

servation Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rent-

al assistance program under section 521(a)(2) of the Act. That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $50,000 per project for advances to nonpro

fit organizations or public agencies to cover di-

rect costs (other than purchase price) incur-

red for the projects pursuant to section 521(c)(5)(C) of the Act: Provided futher. That agreements entered into or re-

newed during fiscal year 2003 shall be funded for a 5-year period, although the life of any such agreement may be extended to fully use amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to sec-

tion 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $35,000,000, to remain available until expended: Provided, That of the total amount appropriated, $1,000,000 shall be available until expended:

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of pro-

moting rural economic development and job creation projects: $100,000,000.

For the cost of direct loans, the carry out the direct loan programs, $4,290,000

Area Partnership Zones.

$2,730,000 shall be available through June 30,

2003, as authorized by section 313 of the Rural

Electric Act of 1936, $3,197,000 shall not be obligated and $3,197,000 are re-

sinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Con-

solidated Farm and Rural Development Act (7 U.S.C. 1921, as defined in section 502 of the Congressional Budget Act of 1974, $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $1,000,000 of the amount appropriated shall be available for the Rural Electrification Act of 1936. The Rural Electrification Act of 1936, $3,197,000 shall not be obligated and $3,197,000 are re-

sinded.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-in-

come housing repair, supervisory and tech-
nical assistance, compensation for construc-

tion contracts, and rural housing preservation made by the Rural Housing Service, as au-

thorized by 42 U.S.C. 1474, 1479(c), 1490c, and 1490m, $47,498,000, to remain available until expended:

For the principal amount of direct loans, as authorized by 7 U.S.C. 950aaa et seq., $38,035,000 which shall be available until expended:

For the principal amount of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $2,410,000. In addition, for administrative expenses, including audits, necessary to carry out the loan programs, $3,082,000, which shall be transferred to and merged with the appro-

priation for “Rural Development, Salaries and Expenses”.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

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

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $300,000,000; and for guaranteed loans, $120,000,000; and for guaranteed direct loans authorized by the Rural Electrification Act of 1936, $3,082,000, which shall be available for loans and grants for telemedicine and distance learning serv-

ices to small entities. Provided, That $10,000,000 may be available for the principal amount of a project for a loan and grant program to fi-

nance broadband transmission and local dial-

up Internet service in areas that meet the definition of “rural area” used for the Dis-

Posible loans pursuant to the authority of the Secretary of Agriculture as Rural Economic Area Partnership Zones.

PARENT PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1490c and 1490m, $300,000,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS-COOPERATIVE SERVICE RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

For the principal amount of direct loans, as authorized by the Rural Development Loan Funds, and rural housing preservation made by the Rural Housing Service, as au-

thorized by 42 U.S.C. 1474, 1479(c), 1490c, and 1490m, $47,498,000, to remain available until expended:

For necessary salaries and expenses of the

NUTRITION AND CONSUMER SERVICES.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except sections 17 and 21; $10,580,169,000, to remain available through September 30, 2004, of which $5,831,506,000 is hereby appropriated and $4,745,663,000 shall be transferred to and merged with the appro-

priation for “Rural Development, Salaries and Expenses”.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

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

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutri-

tion Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $10,580,169,000, to remain available through September 30, 2004, of which $5,831,506,000 is hereby appropriated and $4,745,663,000 shall be transferred to and merged with the appro-

priation for “Rural Development, Salaries and Expenses”.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

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

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $38,035,000 which shall be available until expended:

Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

TITLED IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nu-

trition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except sections 17 and 21; $10,580,169,000, to remain available through September 30, 2004, of which $5,831,506,000 is hereby appropriated and $4,745,663,000 shall be transferred to and merged with funds available under section 32 of the Act of August 24, 1955 (7 U.S.C. 1214d): Provided, That of the funds made available under this heading, $3,300,000 shall be for a School Breakfast Program startup grant pilot program, of which no less than $1,000,000 is to be used to establish a Children's Nutrition Archive Resource Center: Provided further, That $200,000 shall be for the Common Roots Program: Provided further, That $500,000 shall be for the Child Nutrition Data Collection: Provided further, That $150,000 shall be for independent verification of school food service claims.
for use in only such amounts, and in such manner, as the Secretary determines necessary, not withstanding section 17(i) of the Child Nutrition Act, to provide funds to support solid waste collection costs. Provided, That of the total amount available, the Secretary shall obligate $25,000,000 for the farmers' market program within 45 days of the enactment of this Act: Provided further, That notwithstanding section 17(b)(10)(A) of such Act, $14,000,000 shall be available for the purposes specified in section 17(b)(10)(B) of such Act: Provided further, That $2,000,000 shall be available for the Food and Nutrition Service to conduct a study of WIC vendor practices: Provided further, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That none of the funds in this Act shall be available to reimburse the Commodity Credit Corporation for commodities donated to the American Red Cross or to the District of Columbia or elsewhere; and for miscellaneous expenses of law enforcement agencies, including any such fees assessed prior to the current fiscal year but credited during the current year, in accordance with section 706(g), shall be credited to this appropriation and remain available until expended; and of which not to exceed $25,125,000 to be derived from prescription drug user fees authorized by 21 U.S.C. 379h, for the Food and Drug Administration, for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no part may be used to develop, establish, or operate any for-profit business or to develop, provide or transfer to any third party, technology for exclusive use or development: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701, or to be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, $136,865,000, to remain available until expended: Provided further, That none of the funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

For expenses during the current fiscal year, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, not to exceed $11,000,000 to be available for commodities supplied in connection with dispositions abroad under title II of said Act.

That of the funds made available for the cost of agreements under title VI of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1761-1769), market development activities abroad, and for the purpose of the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $131,198,000: Provided, That the Service may utilize advance appropriations for such representation and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $131,198,000: Provided, That the Service may utilize advance appropriations for such representation and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $131,198,000: Provided, That none of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products: Provided further, That none of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

That of the funds made available under this heading and not already appropriated to the Food Distribution Program on Indian Reservations (FDPIR) established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed $4,000,000 shall be available to purchase bison meat for the FDPIR established under section 4(b) of the Food Stamp Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursable by other Federal Government departments or agencies unless authorized by section 17 of such Act.

That funds provided herein shall be exempt from the bidding requirements specified in section 17(i) of the Agricultural Reform and Assistance Act of 1985, including any such fees assessed prior to the current fiscal year but credited during the current year, in accordance with section 706(g), shall be credited to this appropriation and remain available until expended; and of which not to exceed $25,125,000 to be derived from device user fees authorized by 21 U.S.C. 379h, for the Food and Drug Administration, for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no part may be used to develop, establish, or operate any for-profit business or to develop, provide or transfer to any third party, technology for exclusive use or development: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701, or to be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

For expenses during the current fiscal year, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, not to exceed $11,000,000 to be available for commodities supplied in connection with dispositions abroad under title II of said Act.

That of the funds made available for the cost of agreements under title VI of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1761-1769), market development activities abroad, and for the purpose of the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $131,198,000: Provided, That the Service may utilize advance appropriations for such representation and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $131,198,000: Provided, That none of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products: Provided further, That none of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

For expenses during the current fiscal year, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, not to exceed $11,000,000 to be available for commodities supplied in connection with dispositions abroad under title II of said Act.

That of the funds made available for the cost of agreements under title VI of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1761-1769), market development activities abroad, and for the purpose of the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $131,198,000: Provided, That the Service may utilize advance appropriations for such representation and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $131,198,000: Provided, That none of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products: Provided further, That none of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

That funds provided herein shall be exempt from the bidding requirements specified in section 17(i) of the Agricultural Reform and Assistance Act of 1985, including any such fees assessed prior to the current fiscal year but credited during the current year, in accordance with section 706(g), shall be credited to this appropriation and remain available until expended; and of which not to exceed $25,125,000 to be derived from device user fees authorized by 21 U.S.C. 379h, for the Food and Drug Administration, for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no part may be used to develop, establish, or operate any for-profit business or to develop, provide or transfer to any third party, technology for exclusive use or development: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701, or to be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.
$199,117,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $88,342,000 shall be for the Center for Veterinary Medicine; and for related field activities in the Office of Regulatory Affairs; (5) $211,819,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $40,509,000 shall be for the National Center for Toxicological Research; (7) $38,914,000 shall be for Rent and Related Service; (8) $241,722,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of the Senior Associate Commissioner; the Office of International and Constituent Relations; the Office of Policy, Legislation, and Planning; and central services for these offices: Provided, further, That funds may be transferred from one authorized activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

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

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

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $11,000,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, not to exceed $25,000 for each fiscal year under 5 U.S.C. 1309, $95,985,000, including not to exceed $2,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $38,494,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses, as authorized under 12 U.S.C. 2249:

SEC. 703. The Secretary of Agriculture may transfer unobligated balances of funds appropriated by this Act or other available administrative朓tigation service expenses of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and related services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 705. New obligatory authority provided for the following appropriation items in this Act shall be available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, emerging plant pest system acquisition project, boll weevil program, up to 25 percent of the screwworm program, and up to $2,000,000 for costs associated with collecting, analyzing, and using industry and inspection service, field automation and information management project, Cooperative State Research, Education, and Extension Service, to reflect a recent change in the Farm Service Agency: Provided, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 706. New obligatory authority provided for the following appropriation items in this Act shall be available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, emerging plant pest system acquisition project, boll weevil program, up to 25 percent of the screwworm program, and up to $2,000,000 for costs associated with collecting, analyzing, and using industry and inspection service, field automation and information management project, Cooperative State Research, Education, and Extension Service, to reflect a recent change in the Farm Service Agency: Provided, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 707. New obligatory authority provided for the following appropriation items in this Act shall be available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, emerging plant pest system acquisition project, boll weevil program, up to 25 percent of the screwworm program, and up to $2,000,000 for costs associated with collecting, analyzing, and using industry and inspection service, field automation and information management project, Cooperative State Research, Education, and Extension Service, to reflect a recent change in the Farm Service Agency: Provided, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 708. None of the funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the purpose for which such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude prepayment of the cost of direct costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided: Provided, That in no case shall the cost fixed by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2003 under this Act be available for the purchase, in addition to those specifically provided for, of not to exceed 374 passenger motor vehicles, of which 372 shall be for replacement only, and for the hire of such vehicles.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Futures Trading Commission to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grants awarded issued by the Cooperative State Research, Education, and Extension Service, that exceed 19 percent of the total Federal funds provided under each award: Provided, That notwithstanding section 1402 of the National Agricultural Research, Extension, and Education Service Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be allowable to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 2003 shall remain available until expended to cover obligations made in fiscal year 2003 for the following accounts: the Rural Development Loan Fund program account, the Rural Telephone Bank program account, the Rural Electrification and Telecommunications Loans program account, the Rural Housing Insurance Fund program, and the Rural Economic Development Loans program account.

SEC. 712. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 713. Notwithstanding fund 63 of the Act of August 14, 1946 (7 U.S.C. 1621 et seq.), that none of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grants awarded issued by the Cooperative State Research, Education, and Extension Service, that exceed 19 percent of the total Federal funds provided under each award: Provided, That notwithstanding section 1402 of the National Agricultural Research, Extension, and Education Service Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be allowable to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 714. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or in an amount in excess of $6,000,000 within the accounting records of the Rural Telephone Bank the creation of which has not been specifically been authorized: Provided, That notwithstanding any other provision of law, none of the funds appropriated otherwise made available in this Act may be used to transfer any money to the Rural Economic Development Loans program account, the Rural Housing Insurance Fund program, and the Rural Electrification and Telecommunications Loans program account, the Rural Economic Development Loans program account, and other accounts: Provided further, That none of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grants awarded issued by the Cooperative State Research, Education, and Extension Service, that exceed 19 percent of the total Federal funds provided under each award: Provided, That notwithstanding section 1402 of the National Agricultural Research, Extension, and Education Service Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be allowable to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 715. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all agencies, panels, commissions, and task forces of the Department of Agriculture, except for panels used to develop the negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 716. None of the funds appropriated by this Act may be used to fund or influence any aspect of the production, advertising, promotion, or distribution of any meat derived from animals slaughtered after June 30, 1995, and no funds provided by section 1401 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 451 et seq.).

SEC. 717. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual’s employing agency or office is fully
reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

Sect. 716. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to establish or conduct a program or activity to pay for the salary and expenses of personnel employed by the Department of Agriculture who are not on the payroll of the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture computer network or any system of electronic mail for responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 717. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of Information Technology, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Review Board.

That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 718. None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that are for obligations or expenditures in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office of the agencies funded by this Act; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 719. None of the funds appropriated or made available by this Act as of the date of enactment of this Act, may be used to carry out title II of the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 720. None of the funds made available to the Food and Drug Administration by this Act or any other Act may be used to establish or conduct a Food and Drug Administration District Office below the operating and full-time equivalent level as of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence personnel to the Detroit District Office: Provided, That this section shall not apply to Food and Drug Administration field laboratory facilities or operations currently located in general vicinities of Detroit, Michigan, pursuant to cooperative agreements between the Food and Drug Administration and other laboratory facilities associated with the State of Michigan.

SEC. 722. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission in the fiscal year prior to the date of the convening of a committee of conference for the fiscal year 2004 appropriations Act.

SEC. 723. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or cost effectiveness and enhancement of program delivery have been determined.

SEC. 725. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be provided to assure the Food and Drug Administration and other related expenses, incurred in representing such agencies and offices in the Executive Information Technology Review Board, to the extent practicable, direct that amount equal in value to not more than $25,000,000 shall be provided to the agencies funded by this Act in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(a) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities; and

(b) households in the communities, particularly individuals caring for orphaned children; and

2. agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable food security and nutrition for households in communities, particularly individuals caring for orphaned children.

SEC. 726. In addition to amounts otherwise appropriated or made available by this Act, $2,496,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, as authorized by section 404 of Public Law 107–71 (2 U.S.C. 1581).

SEC. 727. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 170d), any balances available to carry out title III of such Act as of the date of enactment of this Act, and any recoveries and reimbursements that may become available under title III of such Act, may be used to carry out title II of such Act.
Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd through dd-7).

SEC. 740. None of the funds appropriated or made available by this Act may be used to pay the salaries and expenses of personnel to carry out section 6405 of Public Law 107-171 (7 U.S.C. 2655).

SEC. 741. None of the funds appropriated or made available by this Act may be used to pay the salaries and expenses of personnel to carry out section 9010 of Public Law 107-171 that exceed $50,000,000 (7 U.S.C. 8108).

SEC. 742. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and technical assistance through the Watershed and Flood Prevention Operations program for the Kuhn Bayou (Point Remove) project in Arkansas.

SEC. 743. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and technical assistance through the Watershed and Flood Prevention Operations program for the Matanuska River erosion control project in Alaska.

SEC. 744. Food For Progress. The Food for Progress Act of 1988 (7 U.S.C. 1736o) is amended—

(1) in subsections (c) and (g), by striking "may" each place it appears and inserting "shall"; and

(2) by adding at the end the following:

``''(o) PRIVATE VOLUNTARY ORGANIZATIONS AND OTHER PRIVATE ENTITIES.—In entering into agreements pursuant to subsection (c), the Secretary shall only be required to enter into agreements with private entities described in subparagraphs (C) and (F) of subsection (b)(5); and

(b) SOLID WASTE.—The Secretary of Agriculture is authorized to permit employees of the United States Department of Agriculture to carry and use firearms for personal protection while conducting field work in remote locations in the performance of their official duties.

SEC. 750. The Secretary of Agriculture is authorized to make direct lump sum payments to the Denali Commission and Commodity Credit Corporation for the reparation of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act of 1992 (7 U.S.C. 1736o–1).

SEC. 752. If the Secretary is presented with a complete and fully compliant application, including an approved third party to hold the development easement, to protect the 33.8 acre farm formerly operated by American Airlines Captain John Ogonowski from development through the Farmland Protection Program, shall waive the matching fund requirements of the program, if necessary. Farmland Protection Program funds provided shall not exceed the appraised fair market value of the land, as determined consistent with section 313A of the Act. Any additional funding provided to carry out this project shall not come at the expense of an allocation to any other project.

SEC. 753. The Secretary of Agriculture is authorized to permit employees of the United States Department of Agriculture to carry and use firearms for personal protection while conducting field work in remote locations in the performance of their official duties.

SEC. 754. Of the funds made available for the Export Enhancement Program, pursuant to section 301(e) of the Agricultural Trade Act of 1978, as amended by Public Law 104–127, not more than $100,000,000 shall be available in fiscal year 2003.

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

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


Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

That the foregoing sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $95,696,000, of which not to exceed $3,137,000 is for the Water, Land, and Wildlife Law Enforcement Program, to be available until expended; Provided, That not to exceed 45 permanent positions and 44 full-time equivalent workyears and $6,625,000 shall be available for expenses of the Program exclusive of augmentation that occurred in these offices in fiscal year 2002; Provided further, That not to exceed 31 permanent positions, 33 full-time equivalent workyears and $3,225,000 shall be expended for the Office of Legislative Affairs; Provided further, That the reduction required by the Department of Justice may utilize non-reimbursable details of career employees within the caps described in the preceding two provisos; Provided further, that the Attorney General, or the Attorney General’s designee, in consultation with the relevant Attorney General, or the Attorney General’s designee, in consultation with the relevant...
United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, the Bureau of Prisons, and the Office of Justice Programs, $77,127,000, notwithstanding any other provision of law, to remain available until expended.

NARRATIVE COMMUNICATIONS

For the expenses necessary to convert to narrowband communications, including for operation and maintenance of Land Mobile Radio legacy systems, $119,254,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of immigration petitions and immigration-related activities, $180,466,000.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee who shall exercise all power, functions, and duties, including the detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service; and for the implementation of the provisions of the Immigration and Naturalization Service, $1,385,966,000, to remain available until expended; Provided, That the Trustee shall be responsible for managing detention facilities and the Justice Prisoner and Alien Transportation System and for overseeing construction of detention facilities or for housing the detention of alien criminals for the Department for the exercise of any detention functions; and for the direction of the United States Marshals Service, not otherwise provided for, $661,085,000, to remain available until expended:

SALARIES AND EXPENSES, ATTORNEY GENERAL

For necessary expenses for the enforcement of antitrust and kindred laws, Of which not to exceed $6,000 shall be available until expended for the Antitrust Division, $133,133,000 of offsetting collections derived from fees collected for premerger notification; shall be available for the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses of the Division or for processing cases under the National Childhood Vaccine Injury Act of 1986, as amended, not exceeding $4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For necessary expenses for the enforcement of antitrust and kindred laws, $6,000,000 of which not to exceed $133,133,000 of offsetting collections derived from fees collected for premerger notification shall be available for the Antitrust Division, $133,133,000 of offsetting collections derived from fees collected for premerger notification shall be available for the Antitrust Division.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $1,202,085,000; of which not to exceed $2,500,000 shall be available until September 30, 2004, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) representation expenses; and (4) tracking debts owed to the United States Government: Provided, That the sum herein appropriated to be used for representation expenses shall be available until expended: Provided further, That the sum herein appropriated for the general fund shall be reduced as such offsetting collections are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation from the general fund estimated at not more than $6,000,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For necessary expenses of the Foreign Claims Settlement Commission, $378,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service, including the acquisition, lease, maintenance, and operation of vehicles, and the purchase of passenger vehicles for personal use, with respect to the general purchase price limitation for the current fiscal year, $661,085,000, of which not to exceed $6,000 shall be available until expended: Provided further, That any transfer pursuant to the provisions of this Act of United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay any funds due depositors: Provided further, That, notwithstanding any other provision of law, $150,381,000 of offsetting collections pursuant to section 1000(a)(1) of Public Law 108-87 shall be used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation from the Fund estimated at $0.

“Salaries and expenses,” United States Parole Commission

For necessary expenses of the United States Parole Commission, $10,114,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For salaries and expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year, $10,114,000.

SALARIES AND EXPENSES, FOR THE DEPARTMENT

For necessary expenses for the Department of Justice, not otherwise provided for, including $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, maintenance and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year, $537,502,000, of which not to exceed $4,028,000, to be appropriated in this Act for the United States Trustee System Fund.

ADMINISTRATIVE REVIEW AND APPEALS

NARROWBAND COMMUNICATIONS

In addition, for reimbursement of expenses of the Department of Justice associated with narrowband communications, including for programming under section 605 of this Act and the possession or use of Government-owned space in the District of Columbia, $537,502,000, of which not to exceed $4,028,000, to be appropriated in this Act for the United States Parole Commission.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year, $537,502,000, of which not to exceed $4,028,000, to be appropriated in this Act for the United States Parole Commission.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

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

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service, including the acquisition, lease, maintenance, and operation of vehicles, and the purchase of passenger vehicles for personal use, with respect to the general purchase price limitation for the current fiscal year, $661,085,000, of which not to exceed $6,000 shall be available until expended: Provided further, That any transfer pursuant to the provisions of this Act of United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay any funds due depositors: Provided further, That, notwithstanding any other provision of law, $150,381,000 of offsetting collections pursuant to section 1000(a)(1) of Public Law 108-87 shall be used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

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

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses for per diems in lieu of subsistence, as authorized by law, including advances, $156,145,000, to remain available until expended; of which not to exceed $6,000,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for projects to be performed under contract, or for the purchase and maintenance of armored vehicles for transportation of protected witnesses, or the purchase and maintenance of armored vehicles for transportation of protected witnesses, or the purchase and maintenance of armored vehicles for transportation of protected witnesses, or the purchase and maintenance of armored vehicles for transportation of protected witnesses.
For necessary expenses of the Community Relations Service, $9,474,000.

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

INTERAGENCY LAW ENFORCEMENT INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,567 passenger motor vehicles, of which 1,085 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $3,927,587,000; of which not to exceed $267,138,000, to remain available until expended, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft, $1,477,470,000: Provided, That, in addition to any unobligated balances available at the end of the fiscal year which shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to reprogramming procedures set forth in section 605 of this Act.

For necessary expenses for crime and drug investigations: $1,879,256,000.

For necessary expenses for the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,374 passenger motor vehicles, of which 1,354 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft, $1,477,470,000: Provided, That, in addition to any unobligated balances available at the end of the fiscal year which shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to reprogramming procedures set forth in section 605 of this Act.

The Federal Bureau of Investigation

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,567 passenger motor vehicles, of which 1,085 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $3,927,587,000; of which not to exceed $267,138,000, to remain available until expended.

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, $3,076,309,000.

For expenses incident to immigration, naturalization, and alien registration, not otherwise provided for, to include international or reimbursable agreements with State and local law enforcement agencies engaged in the investigation into violations of federal criminal law; $1,462,490,000.

For expenses necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, $3,076,309,000.

The Federal Bureau of Investigation shall be available for its administration, operation, and maintenance of the Federal penal and correctional institutions, including purchase (not to exceed $1,000,000), to remain available until expended, of which $470,221,000, to remain available until expended, of which not to exceed $14,000,000 shall be available for construction of new facilities and for purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, to include international or reimbursable agreements with State and local law enforcement agencies engaged in the investigation into violations of federal criminal law; $1,462,490,000.

For expenses necessary for immigration, naturalization, and alien registration, not otherwise provided for, to be used in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an annual basis to be made available in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, pursuant to claims submitted which shall be paid as authorized by section 1001 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year, and such contracts, purchases, and construction (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED


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

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 3796dd et seq.), the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"); $1,368,415,000 (including amounts for administrative costs, which shall be transferred to and merged with the "Justice Assistance account"); to remain available until expended as follows:

(1) $400,000,000 for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act and retroactive to October 1, 2000, Guam shall be considered as one "State" for all purposes under H.R. 728, notwithstanding any provision of section 102(c) thereof: Provided, That no funds provided under this heading shall be used in the setting of matching requirements for any other Federal grant program, of which:

(A) $90,000,000 shall be for Boys and Girls Clubs in public housing facilities and other areas where State and local law enforcement: Provided, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers;

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

(2) $100,000,000 for the Cooperative Agreement Program;

(3) $40,000,000 for assistance to Indian tribes, for which:

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

(B) $5,000,000 shall be available for the Tribal Courts Initiative; and

(C) $5,000,000 shall be available for demonstration grants on alcohol and crime in Indian Country;

(4) $134,700,000 for programs authorized by part E of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act, of which:

(A) $71,200,000 shall be discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program;

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

(C) $2,300,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 229 of the 1990 Act;

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

(E) $134,765,000 for Grants to Combat Violence as authorized by section 1001(a)(18) of the 1968 Act, of which:

(A) $1,000,000 shall be for the Bureau of Justice Statistics for grants, contracts, and other assistance for research and evaluation of violence against women;

(B) $5,200,000 shall be for the National Institute of Justice for grants, contracts, and other assistance for a domestic violence Federal case processing study;

(C) $10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for program administration, as authorized by part C of the Juvenile Justice and Delinquency Act of 1974, as amended;

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

(10) $40,000,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40266 of the 1994 Act;

(11) $5,000,000 for training programs, as authorized by section 40413 of the 1994 Act, and for local demonstration projects;

(12) $3,000,000 for grants to improve the reporting and recording regarding stalking and domestic violence into local, State, and national crime information databases, as authorized by section 60602 of the 1994 Act;

(13) $10,000,000 for grants to reduce Violent Crimes Against Women on Campus, as authorized by section 1108(a) of Public Law 106–368;

(14) $40,000,000 for Legal Assistance for Victims, as authorized by section 1201 of Public Law 106–368;

(15) $5,000,000 for enhancing protection for older and disabled women from domestic violence and sexual assault as authorized by section 10601 of the 1994 Act;

(16) $15,000,000 for the Safe Havens for Children Pilot Program as authorized by section 1301 of Public Law 106–368;

(17) $7,500,000 for Education and Training to end violence against and abuse of women with disabilities, as authorized under the 1968 Act;

(18) $70,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act;

(19) $900,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 20004(i) of the 1994 Act;

(20) $5,000,000 for Drug Courts, as authorized by title I, part EE of the 1968 Act;

(21) $1,500,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act;

(22) $2,000,000 for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250003 of the 1994 Act;

(23) $249,450,000 for Juvenile Accountability Incentive Block Grants.

(24) $1,300,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 22002(h) of the 1994 Act: Provided, That funds made available in fiscal year 2000 for a program of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions (including initiatives: Provided further, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government shall be entitled to a net gain in the number of law enforcement officers who perform nonadministrative public safety services.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed ("the 1994 Act"); of which: $35,925,000, to remain available until expended, for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for other reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds made available in this Act shall be used only in "drug hot spots"; and $15,000,000 for Police Corps education, training, and service under sections 200101–200113 of the 1968 Act.

(2) for crime technology, $426,215,000 as follows: $158,815,000 for a law enforcement technology program; $100,000,000 for the Cooperative Agreement Program; $35,000,000 for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1996 (42 U.S.C. 14601); $40,000,000 for DNA analysis and backlog reduction of which $35,000,000 shall be used as authorized by the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–154), of which $2,000,000 shall be available for Paul Coverdell Forensic Sciences Improvement Grants under part B of title I of the Omnibus Crime Control and Safe Streets Act of 1990, as amended ("the 1968 Act"); $40,000,000 for State and local DNA laboratories as authorized by section 101(a)(22) of the 1968 Act, and improvements to forensic and general forensic science capacity and capabilities; and $45,000,000 for grants, contracts and other assistance to States under section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), of which $17,000,000 is for the National Institute of Justice for grants, contracts, and other agreements to develop school safety technology; and

(3) for prosecution assistance, $100,000,000 as follows:

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 ("the 1994 Act") (including administrative costs), $120,228,000, to remain available until expended: Provided, That no prior year balances derived from the Violent Crime Trust Fund for Community Oriented Policing Services may be transferred into this appropriation: Provided further, That the reemployment benefits described in section 1701(b)(1)(C) shall not apply to equipment, technology, support system or overtime grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.).
to reduce gun violence, and $50,000,000 for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for Federal costs incurred in the prosecution of criminal cases declined by local U.S. Attorneys offices;

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

(5) not to exceed $35,000,000 for program management.

**JUVENILE JUSTICE PROGRAMS**

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended ("the Act"), including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $315,025,000, to remain available until expended, as authorized by section 209 of title II and section 506 of title V of the Act, as amended by Public Law 102–586, or as otherwise provided by law; notwithstanding any provision of law, $7,112,000 shall be available for expenses authorized by part A of title II of the Act; $3,000,000 shall be available for expenses authorized by part B of title II of the Act, and $75,513,000 shall be available for expenses authorized by part C of title II of the Act: Provided, That $26,442,000 of the amounts provided for part B of title II of the Act, as amended, is for the purpose of providing additional formula grants under part B to provide assurance to the Administrator that the State has in effect (or will have in effect no later than 1 year after date of application) policies and procedures designed to benefit the programs or activities described in subparagraph (A) or (B) of section 290 of title II of the Act: Provided further, That $15,000,000 shall be available for expenses authorized by part G of title II of the Act for incentive grants for local delinquency prevention programs; of which $12,500,000 shall be available for delinquency prevention, control, and system improvement programs for tribal youth; of which $15,000,000 shall be available for the Safe Schools Initiative under section 281 of title II of the Act: Provided, further, That $25,000,000 shall be available for salaries and expenses authorized by part V of the Act for the Department of Justice in this title shall be available to the Attorney General for official receipt and representation expenses in accordance with distributions, procedures, and limitations established by the Attorney General.

**PUBLIC SAFETY OFFICERS BENEFITS**

To remain available until expended, for payment of: (a) amounts of title II of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 308 of title II of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796); and (b) $4,000,000, to remain available until expended, for payments as authorized by section 1201(b) of said Act.

**GENERAL PROVISIONS—DEPARTMENT OF COMMERCE**

**SEC. 101.** In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $10,000,000 of funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and limitations established by the Attorney General.

**SEC. 102.** (a) Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which public advertised, extraordinary rewards may be paid, which rewards shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delayed or withheld: Provided further, That any reward made pursuant to section 501 of Public Law 107–56 shall not be subject to this section.

(b) Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available for the current fiscal year from Doe v. United States of America, 388 F.3d 1002 (6th Cir. 2004), in the awarding of grants pursuant to sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of more than $100,000, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delayed or withheld: Provided further, That any reward made pursuant to section 501 of Public Law 107–56 shall not be subject to this section.

**SEC. 106.** In instances where the Attorney General determines that law enforcement, security-, or mission-related considerations mitigate against obtaining maintenance or repair services from private sector entities for equipment used in law enforcement, the Attorney General is authorized to seek reimbursement from such entities for warranty work performed at Department of Justice facilities and for the payment of a portion of any deficiency or, at the Attorney General's discretion, any other appropriate fee or compensation due the federal government, to credit any payment made for such work to any appropriation charged therefor.

**SEC. 107.** Public Law 107–273 is amended—

(1) in section 344(c) (8 U.S.C. 1655(c)), by replacing “All” with “Except as provided by section 286(q)(2) or any appropriation”;

(2) in section 386(q)(2) (8 U.S.C. 1356(q)(2)), by inserting “, including receipts for services performed in processing forms I–94, I–94W, and I–88, and other similar applications processed at land border ports of entry,” after “subsection”;

**SEC. 108.** In instances where the Attorney General determines that law enforcement training facility described in section 8150 of Public Law 107–248 is hereby established as a permanent training facility.

**SEC. 109.** Notwithstanding any other provision of law, in fiscal year 2003 and thereafter the Attorney General shall transfer to the "Department of Commerce" all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided, That the Attorney General shall notify the Committees on Appropriations of the Senate and Representatives of any transfers made under this section.

**SEC. 110.** This title may be cited as the "Department of Justice Appropriations Act, 2003."

**TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES**

**TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES**

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

**SALARIES AND EXPENSES**

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants not to exceed $98,000 shall be available for official representation expenses, a total of not to exceed $10,000,000 of which $1,000,000 shall remain available until expended: Provided, That not to exceed $96,000 shall be available for official representation expenses.

**INTERNATIONAL TRADE COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the International Trade Commission, including hire
DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce, provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports, $68,083,000, to remain available until expended: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961, 22 U.S.C. 2455(f) and 2458(c) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for the purpose of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to international trade administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments: That all programs and activities under this heading related to industry development shall be transferred to and merged with relevant programs and activities under the heading "International Trade Administration, Operations and Administration".

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, and for trade adjustment assistance, $257,886,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs provided for by law, $90,765,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $29,956,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE
ECONOMIC AND STATISTICAL ANALYSIS

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the United States Patent and Trademark Office, $72,156,000, to remain available until September 30, 2004.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $173,223,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, $369,696,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses, as provided for by law, for the National Telecommunications and Information Administration (NTIA), $14,352,000, to remain available until expended: Provided, That, notwithstanding section 354 of the Telecommunications Act of 1996, NTIA may use funds under a grant provided for by law, 47 U.S.C. 3325(d), the Secretary of Commerce is authorized to retain for reimbursement purposes any funds transferred, or previously transferred, from other Government agencies for all costs of planning, research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $83,816,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed $2,478,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisos of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for the planning of public facilities and in the public domain, that have been approved and are in progress.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $15,560,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $3,097,000 shall be available for program administration and coordination activities as authorized by section 391: Provided further, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That, notwithstanding the requirements of sections 390(c) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunication networks for educational, cultural, health care, public information, public safety, or other social services: Provided further, That, notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1966 (42 U.S.C. 3785) may use any grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

UNITED STATES PATENT AND TRADEMARK OFFICE
SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office, provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,038,800,000, to remain available until expended, which amount shall be derived from offsetting collections and shall be retained and used for necessary expenses in collections for costs of such spectrum services, to remain available until expended: Provided further, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the National Telecommunications and Information Administration Organization Act, 47 U.S.C. 902-903, to any Federal entity without reimbursement as required by NTIA for such spectrum management: That notwithstanding any spectrum withholding payment of such cost shall not use spectrum: Provided further, That the Secretary of Commerce is authorized to retain amounts from all funds transferred, or previously transferred, from other Government agencies for all costs of planning, research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.
this appropriation: Provided, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2003, so as to be not less than $1,056,800,000, for appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2003, the total amount of offsetting collection fees collected, if any, and the sum available to the United States Patent and Trademark Office shall be reduced accordingly: Provided further, That an additional sum, not to exceed $156,771,000 from fees collected in prior fiscal years shall be available for obligation in fiscal year 2003, to remain available until expended: Provided further, That the amounts provided herein, not to exceed $1,000 shall be made available in fiscal year 2003 for official reception and representation expenses.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $7,366,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $360,353,000, to remain available until expended, of which not to exceed $282,000 may be transferred to the “Working Capital Fund”.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $106,823,000, to remain available until expended: Provided, That no more than five percent of the funds provided for “Coastal Zone Management Grants” exceed funds provided in the previous fiscal year: Provided further, That if funds provided for “Coastal Zone Management Grants” exceed funds provided in the previous fiscal year, the amounts that will be received more than five percent or less than one percent of the additional funds: Provided further, That no general administrative charge for space activity (Public Law 103–359), which shall be used to cover administrative expenses applied against an assigned activity shall be limited to five percent for that assigned activity: Provided further, That any use of deobligated balances of funds provided for the purposes for the previous years shall be subject to the procedures set forth in section 605 of this Act.

There shall be established the Business Management Fund of the National Oceanic and Atmospheric Administration, which shall be available without fiscal year limitation for expense and equipment necessary for the maintenance and operations of such services and projects as the Administrator of the National Oceanic and Atmospheric Administration determines may be performed more advantageously when centralized: Provided, That a separate schedule of expenditures and reimbursements, and a statement of the current as of the close of the Business Management Fund as of the close of the completed fiscal year, shall be prepared each year: Provided further, That notwithstanding the provisions of the Atlantic Salmon Treaty Agreement (Public Law 100–627), and the American Fisheries’ Fishery Products and Research Pertaining to American Fisheries; Provided further, That any use of the amounts provided, to be derived from the fees imposed under the provisions of the Atlantic Salmon Treaty Agreement (Public Law 100–627), and the American Fisheries’ Fishery Products and Research Pertaining to American Fisheries; Provided further, That the amounts provided, shall be available until expended for the purposes of constructing and tenant build-out costs of a facility at the Suitland Federal Center.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, $78,650,000, to remain available until September 30, 2004.

In addition, for implementation of the 1999 Pacific Salmon Treaty Agreement, $20,000,000, of which $10,000,000 shall be deposited in the Northern Transboundary Rivers Restoration and Enhancement Fund, of which $10,000,000 shall be deposited in the Southern Transboundary Restoration and Enhancement Fund.

FISHERMEN’S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $504,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Salmon Convention Act of 1975, as amended (Public Law 96–339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627), and the Atlantic Salmon Treaty Agreement (Public Law 100–627), and the American Fisheries’ Fishery Products and Research Pertaining to American Fisheries; Provided further, That such costs, in addition to the amounts provided, shall be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, $237,000, as authorized by the Magnuson-Stevens Fishery Conservation Act of 1976, as amended (Public Law 100–627), and the Agricultural Credit Act of 1949, as amended (Public Law 100–262), not less than $237,000, to remain available until expended.
amount of direct loans not to exceed $5,000,000 for Individual Fishing Quota loans, and not to exceed $19,000,000 for Traditional direct loans: Provided, further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000,000 for official entertainment, $41,494,000.

OFFICE OF INSPECTOR GENERAL


GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in section 605 of this Act (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payment of interest authorized annually upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized; services as authorized; and uniforms or allowances therefore, as authorized.

SEC. 203. Hereafter none of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act, but transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfer: Provided, that any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 205. Hereafter the Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949.

SEC. 206. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 89–356, as amended: Provided, That no transfer pursuant to this section shall be eligible for a guarantee under the provisions of section 605 of this Act: Provided, further, That such franchise fund may be retained in the fund for fiscal year 2003 and each fiscal year thereafter, to remain available until expended, to be used for purposes other than administrative services as the Secretary determines necessary for the improvement and implementation of department financial management, ADP, and other support systems: Provided, further, That such amounts retained in the fund for fiscal year 2003 and each fiscal year thereafter shall be available for obligation and expenditure in accordance with this Act: Provided, further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: Provided, further, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 199–316.

SEC. 207. Notwithstanding any other provision of law, of the amounts made available for administrative services at the National Institute of Standards and Technology, Construction of Research Facilities $14,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, $6,000,000 is appropriated to the Thayer School of Engineering for the nanocrystals research initiative, $3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, $2,000,000 is appropriated to the Institute for Politics, and $1,260,000 is appropriated to the Franklin Pierce College.

SEC. 208. Of the amounts available from the fund entitled “Promote and Develop Flshery Products and Research Pertaining to American Fisheries”, Saltonstall-Kennedy grants may be used only in the priority funding areas of Fishing Capacity Reduction under the Magnuson-Stevens Act Sections 312(b)(3), Conservation Engineering, Optimum Utilization of Fisheries Resources under Federal or State Management, Marine Aquaculture, and Fisheries Socioeconomics: Provided, That no funds shall be provided under the Saltonstall-Kennedy Program for any grant related to Atlantic salmon aquaculture development considering the endangered species status of the menhaden.

SEC. 209. Of the amount available from the fund entitled “Promote and Develop Flshery Products and Research Pertaining to American Fisheries”, $20,000,000 shall be provided to develop an Alaska seafood marketing program.

SEC. 210. (a) The Secretary of Commerce is authorized to award grants and make direct lump sum payments in support of an international advertising and promotional campaign designed to market domestically with the private sector to encourage individuals to travel to the United States consisting of radio, television, and print advertising and marketing programs:

(b) The United States Travel and Tourism Promotion Advisory Board (hereinafter referred to as the “Board”) shall coordinate the appropriate coordinated activities to the Secretary for funding:

(c) The Secretary shall appoint the Board within 90 days after the Board is established to coordinate the appropriate coordinated activities to the Secretary for funding:

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

(e) There is authorized to be appropriated $50,000,000, to remain available until expended, and $50,000,000 is appropriated to implement this section.

SEC. 211. From funds made available from the appropriations and transfers made available by this Act, no less than $50,000 shall be made available to the Maritime Administration for administrative expenses to oversee the implementation of this section for the purpose of recovering economic and national interest to the United States following the default under the construction contract described in section 8109 of the Department of Defense Appropriations Act for Fiscal Year 1997 (Public Law 105–56): Provided, That the owner of any ship documented under the authority of this section shall offset such appropriation through the pay-as-you-go system of the Maritime Administration not to exceed the appropriation and that such fees be deposited as an offsetting collection to this appropriation: Provided, further, That notwithstanding any other provision of law, one or more foreign-built cruise ships originally contracted under section 8109 of Public Law 105–56 may be constructed to completion in a shipyard located outside of the United States and the owner thereof (or a related person with respect to that owner) may document one or both ships under U.S. flag with a coastwise endorsement, and notwithstanding any other provision of law, one or both ships may be issued only in the priority funding area of financing under title XI of the Merchant Marine Act 1936: Provided, further, That the owner of any cruise ship documented under the authority of this section is a citizen of the United States within the meaning of 46 U.S.C. 1112(a)(2), the foreign-built cruise ship re-documented under the authority of this section meets the eligibility requirements for a certificate of inspection under section 1137(a) of Public Law 104–324 and applicable international agreements and guidelines effective to the extent provided in sections 1137(a)(2) thereof and the 1992 Amendments to the Safety of Life at Sea Convention of 1974, and that with respect to the re-documented foreign-built cruise ship, any repair, maintenance, alteration, or other work performed in accordance with the requirements of this section shall be eligible for a guarantee under the provisions of section 8109 of Public Law 105–56, and (4) any non-warranty repair, maintenance, or alteration work performed in a United States shipyard and the owner of any such vessel documented under the authority of this section shall be performed in a United States shipyard unless the Administrator of the Maritime Administration finds that such services are not available in the United States or if an emergency dictates that the ship proceed to a foreign port for such work, (5) any ship documented under the authority of this section shall be eligible for a guarantee under the provisions of section 8109 of Public Law 105–56, and (6) no cruise ship operating in coastwise trade under the authority of this section shall be eligible for a guarantee of financing under title XI of the Merchant Marine Act 1936: Provided, further, That any cruise ship to be documented under the authority of this section shall be immediately eligible before documentation of the vessel for the approval contained in section 1136(b) of Public Law 104–324: Provided, further, That for purposes of this section the term “cruise ship” means a vessel that is at least 60,000 gross tons.
gross tons and not more than 120,000 gross tons (as measured under chapter 143 of title 46, United States Code) and has berth or stateroom accommodations for at least 1,600 passengers; or one or both of the means collectively the partially completed hull and related components, equipment, and parts of whatever kind acquired pursuant to the construction contract described in section 8109 of Public Law 105–56 and intended to be incorporated into the ships constructed thereon, the term ‘related person’ means with respect to a person: a holding company, subsidiary, or affiliate of such person meeting the citizenship requirements of section 12102(a) of title 46, United States Code, and the term ‘related service’ means any services rendered to the primary service in which the ship is engaged on an annual basis.

This title may be cited as the ‘Department of Commerce and Related Agencies Appropriations Act, 2003’.

TITLE III—THE JUDICIARY
SUPREME COURT OF THE UNITED STATES
SALARIES AND EXPENSES
For expenses necessary for the operation of the Supreme Court, excluding care of the building and grounds, $53,304,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT
SALARIES AND EXPENSES
For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, $20,136,000.

UNITED STATES COURT OF INTERNATIONAL TRADE
SALARIES AND EXPENSES
For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, $13,529,000.

COURT OF APPEALS, DISTRICT, MAGISTRATE, AND BANKRUPTCY COURT JUDGES AND STAFF
SALARIES AND EXPENSES
For salaries of the circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service in the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and their staff, $718,736,000.

COURT SUPPORT
SALARIES AND EXPENSES
For expenses necessary for the operation of the courts, including travel and hire of passenger motor vehicles, $1,048,877,000, of which not to exceed $45,000 is authorized for official reception and representation expenses.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, as amended; and not to exceed $2,784,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

COURT SERVICES
SALARIES AND EXPENSES
For expenses necessary for court services, including the purchase of firearms and ammunition, supplies, and equipment and the payment of rent to the General Services Administration, $1,394,039,000, of which not to exceed $29,277,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

PROBATION AND PRETRIAL SERVICES
SALARIES AND EXPENSES
For expenses necessary for probation and pretrial services, $177,214,000.

DEFENSE SERVICES
For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent defendants in accordance with Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other similar services, $272,373,000; and not to exceed $2,784,000, to be appropriated from the United States Information and Educational Exchange Account.

PAYMENT TO JUDICIARY TRUST FUNDS
For fees and expenses of jurors as authorized; compensation of jury commissioners as authorized; and compensation of commissioners appointed in condemnation cases pursuant to Federal Rules of Civil Procedure, $54,636,000, to remain available until September 30, 2004, provided, That the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized; and any necessary travel and general administrative expenses, $531,792,000, to remain available until September 30, 2004.

FEES OF FINES AND COMMISSIONERS
For fees and expenses of jurors as authorized; compensation of jury commissioners as authorized; and compensation of commissioners appointed in condemnation cases pursuant to Federal Rules of Civil Procedure, $54,636,000, to remain available until September 30, 2004, provided, That the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized; and any necessary travel and general administrative expenses, $531,792,000, to remain available until September 30, 2004.

FEDERAL JUDICIAL CENTER
SALARIES AND EXPENSES
For necessary expenses, not otherwise provided for, incident to providing protective guard services for United States courthouses and the procurement, installation, and maintenance and operation of security equipment for United States courthouses and facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, and other similar activities, $276,342,000, of which not to exceed $10,000 shall remain available until expended for security systems or contract costs for court security officers: Provided, That, of the amounts made available under this heading, $1,000,000 shall be transferred to, and merged with, funds in the ‘Salaries and Expenses, United States Marshals Service’ appropriations account, to be available only for a courthouse security survey to be conducted by Judicial Security Division/Judicial Security Systems personnel.

FEDERAL JUDICIAL CENTER
SALARIES AND EXPENSES
For necessary expenses of the Federal Judicial Center, $20,156,000; of which $1,800,000 shall remain available through September 30, 2004, to provide training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS
SALARIES AND EXPENSES
For payment to the Judicial Officers’ Retirement Fund, as authorized, $27,700,000; to the Judicial Survivors’ Annuities Fund, as authorized, $5,200,000; and to the United States Court of Federal Claims Judges’ Retirement Fund, as authorized, $2,400,000.

UNITED STATES SENTENCING COMMISSION
SALARIES AND EXPENSES
For the salaries and expenses necessary to carry out the provisions of chapter 86 of title 28, United States Code, $11,835,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY
SIC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for the services authorized by this title.

SIC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act.

SIC. 303. Notwithstanding any other provision of law, any salaries and expenses appropriated in this title, except probation and pretrial services, shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SIC. 304. Pursuant to section 140 of Public Law 97–92, Justices and judges of the United States are authorized during fiscal year 2003, to receive a salary adjustment in accordance with 28 U.S.C. 461: Provided, That $7,972,000 is appropriated for salary adjustments pursuant to this Act and such funds shall be transferred to and merged with appropriations in title III of this Act: Provided further, That this title may be cited as the ‘Judiciary Appropriations Act, 2003’.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY
DEPARTMENT OF STATE
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS
For necessary expenses of the Department of State, and the Foreign Service, other- wise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, as amended; and representa- tives to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; and for international organiza- tions and disarmament activities as author- ized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administra- tion, $3,042,096,000: Provided, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to and merged with, funds in account for Emergencies in the Diplomatic and Consular Serv- ice: appropriations account, to be available only for emergency evacuations and ter- roristic rewards: Provided, That $12,000,000 of the amount made available under this heading for Oceans and International Environmental and Scientific Affairs, $4,000,000 shall be for expenses of a long-term lease reduction agreement for the Western and Central Pacific: Provided further, That, of the
amount made available under this heading, $5,000,000 shall be made available only for the renovation of the United States Consulate facility in Istanbul for the purposes of housing and conducting an international forum on Muslim-Western Dialogue: Provided further, That, the Secretary of State shall develop a plan for the five-year graduated synchronization of the United States and United Nations budget cycles: Provided further, That, of the amount made available under this heading, $1,500,000 shall be available for a grant to conduct an international forum on best practices on adoption: Provided further, That, of the amount made available under this heading, $500,000 shall be available for a grant to conduct an international forum on best practices on adoption.

For expenses necessary for carrying out the Foreign Service Act of 1966, as amended (22 U.S.C. 2202 et seq.), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the United States Government, in addition to funds otherwise available, the Harry S. Truman Building, and carrying out the Diplomatic Security Construction Program and the Diplomatic Security Construction and Equipping Fund, $5,000,000 shall be available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $732,700,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $6,500,000, to remain available until expended as authorized, of which not to exceed $1,000,000 may be transferred to and merged with the Diplomatic and Consular Programs Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $612,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $697,000, which may be transferred to and merged with the Diplomatic and Consular Programs Account subject to Administration of Foreign Affairs.

PAGY TO THE UNITED STATES INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–6, $17,949,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $338,300,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $866,000,000: Provided, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the appropriate international organizations or for: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization unless the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That funds appropriated under this paragraph may be obligated and expended prior to the date of submission of the United States assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $673,710,000, of which 15 percent shall remain available until September 30, 2004: Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations Peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and conditions of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) appropriate committees of the Congress are notified of the estimated cost and conditions of those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $25,155,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $5,498,000, to remain available until expended, as authorized: AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to the International Joint Commissions and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 105–182, $10,023,000, of which not to exceed $9,000 shall be available for reimbursement of expenses incurred by the International Joint Commission.
INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $20,480,000: Provided, That United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), as amended, $10,250,000, to remain available until expended, as authorized.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 3204-3205), all interest and earnings accruing to carrying out the provisions of the Eisenhower Fellowship Fund on or before September 30, 2003, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract, or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for any lease, contract, or other arrangement which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-Profit Organizations), including extensions on compensation for personal services.

ISRAELI ARAB Scholar SHIP PROGRAM

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

EAST-WEST CENTER

To enable the Secretary of State to provide for the maintenance of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the East West Center, $18,000,000, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For necessary expenses of the Department of State to National Endowment for Democracy as authorized by the National Endowment for Democracy Act, 1996, and for the National Endowment for Democracy, $46,500,000, to remain available until expended.

RELATED AGENCY

Broadcasting Board of Governors

International broadcasting operations.

For expenses necessary to enable the Broadcasting Board of Governors to carry out international communication activities, $431,456,000.

BROADCASTING TO CUBA

For necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission facilities, and purchase and installation of necessary equipment for radio and television transmission and reception, $34,966,000, to remain available until expended.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $13,749,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

Sec. 401. Funds appropriated under this title shall be available, except as otherwise provided, for the operations of the Corporation as authorized by subsection (b). (1) $24,996,000, to remain available until September 30, 2005: Provided, That such appropriation may be obligated or expended for the current fiscal year for the Broadening of the Corporation, and for the Corporation, its activities may be carried out as authorized by the National Endowment for Democracy Act, as amended, and shall be increased by the rate authorized by 5 U.S.C. 5376, and the rate of any such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That such transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section. (2) $10,250,000, to remain available until September 30, 2003, to remain available until expended.

INTERNATIONAL BROADCASTING OPERATIONS

INTERNATIONAL BROADCASTING BOARD OF GOVERNORS

For necessary expenses of the Broadcasting Board of Governors for Operations and Training, $4,144,000, which shall be transferred to the Corporation.

INTERNATIONAL FISHERIES COMMISSIONS

Title V—Related Agencies

DEPARTMENT OF STATE

Maritime Administration

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

Maritime Guaranteed Loan (Title XI) Program Account

For the cost of guaranteed loans, as authorized, $32,852,000, to remain available until September 30, 2003.

For the purchase, rent, construction, and improvements of the United States Merchant Marine Academy, $13,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy.

Maritime Security Program

For necessary expenses to maintain and preserve a merchant merchant fleet to serve the national security needs of the United States, $98,700,000, to remain available until September 30, 2005.

Maritime Administration

Title VII—Related Agencies

Maritime Administration

DEFENSE PROVISIONS—NATIONAL SECURITY

Department of Transportation

For necessary expenses of the Department of Transportation, Maritime Administration, $5,187,000.

For necessary expenses of the Department of Transportation, Maritime Administration, $2,000,000.

For necessary expenses of the Department of Transportation, Maritime Administration, $1,000,000.

For necessary expenses of the Department of Transportation, Maritime Administration, $1,000,000.
funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Board member. Provided further. That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairperson, who is permitted 125 billable days.

**COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

**SALARIES AND EXPENSES**

For necessary expenses for the United States Commission on International Religious Freedom, as authorized, $3,000,000.

**COMMISSION ON OCEAN POLICY**

**SALARIES AND EXPENSES**

For the necessary expenses of the Commission on Ocean Policy, $3,000,000.

**COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

**SALARIES AND EXPENSES**

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

**CONGRESSIONAL EXECUTIVE COMMISSION ON THE REPUBLIC OF CHINA**

**SALARIES AND EXPENSES**

For necessary expenses of the Congression­al Executive Commission on the People’s Republic of China, $1,000,000.

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the Equal Employment Opportunity Commission, including services as authorized; hire of passenger motor vehicles as authorized; non-monetary awards to private citizens and not to exceed $35,000,000 for payments to State and local enforcement agencies for authorized services to the Commission, $230,436,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

**FEDERAL COMMUNICATIONS COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniform salaries and allowances thereof, as authorized by 5 U.S.C. 5901–5902; not to exceed $31,09, $275,400,000, of which not to exceed $300,000 for improvement and care of grounds and repair to buildings; not to exceed $1,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $275,400,000, of which not to exceed $300,000 to remain available until September 30, 2004, for research and policy studies: Provided, That $275,400,000 of offsetting collections shall be assessed and collected pursuant to section 501, 502, 503, 504, 505, and section 1102 of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until September 30, 2004, for research and policy studies: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2003: Provided further, That any offsetting collections received in excess of $275,400,000 in fiscal year 2003 shall remain available until expended, but shall not be available for obligation until October 1, 2003.

**FEDERAL MARITIME COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the Federal Maritime Commission as authorized, including services; hire of passenger motor vehicles; and uniforms or allowances therefor, $16,795,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

**FINANCIAL ACCOUNTS COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the Financial Accounts Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $2,000 for official reception and representation expenses, $175,148,000, to remain available until expended: Provided further, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3721, as such amounts are made available by law, not to exceed $166,000,000 of offsetting collections derived from fees collected for pre­mortem notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, and offsetting collections derived from fees sufficient to implement and enforce the do-not-call provisions of the Telemarketing Sales Rule, 16 C.F.R. Part 310, promulgated by the Federal Trade Con­sumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), estimated at $16,000,000, shall be collected pursuant to this authority: Provided further, all offsetting collec­tions shall be credited to this appropriation, used for necessary expenses, and remains available until expended: Provided further, That the sum of $45,000,000 from the general fund shall be reduced as such offsetting collections are received during fiscal year 2003, so as to result in a final fiscal year 2003 appropriation for the Management Fund estimated at not more than $9,146,000: Provided further, That none of the funds made available to the Federal Trade Commission shall be available for offsetting expenses au­thorized by section 151 of the Federal De­posit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2292-2295).

**LEGAL SERVICES CORPORATION**

**PAYMENT TO THE LEGAL SERVICES CORPORATION**

For payment to the Legal Services Corporation to carry out purposes of the Legal Services Corporation Act of 1974, as amended, $329,397,000, of which $310,097,000 is for basic field programs and required administrative expenses; $13,300,000 for additional audits of recipients; $2,600,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $13,300,000 is for management and administration; and, $3,400,000 for direct legal representation services as authorized by the Legal Services Corporation Act of 1974, as amended, and shall be available until expended: Provided, That none of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of sections 6(b) of the Securities Exchange Act of 1934, as amended, or section 78m(e), 78n(g), and 78ee of the Securities and Exchange Act of 1934 (15 U.S.C. 77m(e), 77n(g), and 77ee), and shall be credited to this account as offsetting collections: Provided further, That not to exceed $665,700,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2003 shall be reduced as such offsetting fees are received so as to result in a final total fiscal 2003 appropriation from the general fund estimated at not more than $0.

**SMALL BUSINESS ADMINISTRATION**

**SALARIES AND EXPENSES**

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized, including hire of passenger motor vehicles, and not to exceed $3,500 for official reception and representation expenses, $364,357,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to the account, funds not to be available for carrying out these purposes without further appropriations: Provided further, That $50,000,000 shall be available to fund grants for performance in the fiscal year 2003 or fiscal year 2004 as authorized.

**OFFICE OF INSPECTOR GENERAL**

For necessary expenses of the Office of Ins­pector General, $11,680,000.

**NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION**

For necessary expenses of the National Veterans Business Development Corporation, $2,000,000.

**SECURITIES AND EXCHANGE COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of buildings and other facilities (not to include buildings or other facilities in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $656,700,000; of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the ex­penses of Commission staff and foreign invi­tees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taxable as the equivalent of such attendance; (2) any travel and transporta­tion to or from such meetings; and (3) any other related lodging or subsistence: Pro­vided further, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77t(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78e(e), 78o-4, and 78ee) shall be credited to this account as offsetting collections: Provided further, That not to exceed $656,700,000 of such offsetting collections shall be available until expended for nec­essary expenses of this account: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2003 shall be reduced as such offsetting fees are received so as to result in a final total fiscal 2003 appropriation from the general fund estimated at not more than $0.
Congressional Budget Act of 1974, as amended:

Provided further. That during fiscal year 2003 commitments to guarantee loans under section 506 of the Small Business Investment Act of 1958, as amended, shall not exceed $4,500,000,000, as provided under section 20(h)(1)(B)(i) of the Small Business Act: Provided further. That during fiscal year 2003 commitments for loans shall amount in excess of $9,854,000 to be transferred and merged with the appropriations for Salaries and Expenses.

SEC. 601. (a) None of the funds provided under this Act, or provided under previous or subsequent appropriations under the Congressional Budget Act of 1974, as amended, shall be available on or after June 30, 2003, for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States, to the extent of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project, activity, or purpose for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) commits funds or personnel or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations under the Congressional Budget Act of 1974, as amended, shall be available for obligation or expenditure through reprogramming of funds which exceed $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any reallocation of funds in person which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

STATE JUSTICE INSTITUTE

SEC. 601. None of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. None of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting services through contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds appropriated or otherwise made available by this Act or any other Act, or by way of grants, contracts, awards, cooperative agreements, or donations, shall be available for aid or assistance by the Office of the Inspector General or any other Federal agency, department, or instrumentality, for the purpose of influencing the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 609. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations Acts to the agencies funded under the Trade Commission and the Antitrust Divisions of the Department of Justice are in effect on October 1, 2002. (b) None of the funds made available by this Act shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project, activity, or purpose for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) commits funds or personnel or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) None of the funds made available by this Act shall be available for obligation or expenditure through reprogramming of funds which exceed $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any reallocation of funds in person which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

TITLED VI—GENERAL PROVISIONS

SEC. 607. Of the funds appropriated in this Act under the heading of Office Programs—State and Local Law Enforcement Assistance, not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be available to such an entity when it is determined not to be prohibited from housing such a prisoner.

SEC. 610. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee for incineration or the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifiable information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 611. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10001 in any fiscal year in excess of $500,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by the Attorney General has determined that the Attorney General has determined not or unreasonably delay accepting the turn of citizens, subjects, nationals, or residents under that section.

SEC. 613. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant toconviction for a crime in violation of federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 614. Hereafter, none of the funds appropriated by this Act shall be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other electronic equipment used primarily for recreational purposes.

SEC. 615. Of the amounts provided for “Small Business Administration, Salaries and Expenses”, $15,000,000 shall be available for a grant to the Innovation and Commercialization Center; $2,000,000
DIVISION C—DISTRICT OF COLUMBIA APPROPRIATIONS, 2003

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of said District for the fiscal year ending September 30, 2003, and for other purposes.

That the following sums are appropriated, or any sums not otherwise appropriated, for the District of Columbia and related agencies for the fiscal year ending September 30, 2003, and for other purposes, namely:

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $17,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount to any public or private institution of higher education in the District of Columbia, to be deposited into a dedicated account for the Resident Tuition Support Program: Provided further, That the awarding of such funds may be prioritized on the basis of a resident’s academic merit, the income and need of eligible residents, and other factors the Mayor may authorize: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program: Provided further, That the Resident Tuition Support Program Office and the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the Senate and House of Representatives for these funds showing the object class, the expenditures made and the purpose thereof: Provided further, That not more than seven percent of the total amount appropriated for this program may be used for administrative expenses.

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

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, in amounts not to exceed $1,500,000, of the funds made available under this heading, to reimburse the District of Columbia for the costs of public safety expenses related to security events in the District of Columbia and for the Consortium for Diplomatic Security to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: Provided, That the Office of the Chief Financial Officer of the District of Columbia shall make available $15,000,000, of which not to exceed $1,500,000 is for official reception and representation expenses; for the District of Columbia Superior Court, $81,265,000, of which not to exceed $1,500,000 is for official reception and representation expenses; for the District of Columbia Court System, $39,676,000, of which not to exceed $1,500,000 is for official reception and representation expenses; for the District of Columbia Family Court: Provided further, That the Dis-
provided further, That notwithstanding any other provision of law, the appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA). Said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives: Provided further, That funds made available for capital improvements may remain available until September 30, 2004: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the Senate and House of Representatives, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under such heading: Provided further, That notwithstanding Section 446 of the District of Columbia Home Rule Act or any provision of subchapter III of chapter 13 of title 31, United States Code, the use of interest earned on the Federal payment made to the District of Columbia will be made under the District of Columbia Appropriations Act, 1996, by the Courts during fiscal year 1998 shall not constitute a violation of such Act or such subchapter.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 21 of title 16, D.C. Code, or pursuant to a contract with a non-profit organization to provide guardian ad litem representation, training, technical assistance and other services as are necessary to improve the quality of guardian ad litem representation, and payments for counsel authorized under section 11–2602 (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1980), $394,000,000, to remain available until expended: Provided, That the funds provided in this Act under the heading “Federal Payment to the District of Columbia Courts” (other than $35,201,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: Provided further, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading “Federal Payment to the District of Columbia Courts” (other than the $35,201,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: Provided further, That funds provided under such heading shall be obligated and expended by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, such appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 1. PAYMENTS FOR REPRESENTATION OF INDIGENTS. (a) SERVICES OF COUNSEL.—Section 11–2604, District of Columbia Code, is amended in subsection (a), by striking “$50” and inserting “$75”.

(b) EFFECTIVE DATE.—The amendment made by this provision shall apply with respect to cases and proceedings initiated on or after November 1, 2003.

(c) The hourly rate paid to attorneys representing indigent defendants in the District of Columbia, subject to Section 11–2604 and Section 15–2252.01(b) of the District of Columbia Code shall be $35 per hour, effective October 1, 2003.

SEC. 2. INCORPORATION OF COURT EMPLOYEES IN LONG TERM CARE PROGRAM. (a) Section 11–3501(c)(8) of Title 1, United States Code, is amended by adding before the period “(other than an employee of the District of Columbia Courts)’’.

(b) Section 11–4216, District of Columbia Code, is amended as follows:

(1) in subsection (c)(1), by adding at the end: “(F) Chapter 90 (relating to long-term care insurance).’’.

(2) in subsection (c)(2), by adding at the end: “(D) Chapter 90 (relating to long-term care insurance).’’.

SEC. 3. CRIME VICTIMS COMPENSATION FUND. All funds from the Crime Victims Compensation Fund, established by section 16 of the Victims of Violent Crime Compensation Act of 1996, effective April 9, 1997 (D.C. Law 11–24; 11 D.C. Reg. 5–413); D.C. Official Code, established by section 16 of the Victims of Violent Crime Compensation Act of 1996, effective April 9, 1997 (D.C. Law 11–24; 11 D.C. Reg. 5–413) (“Compensation Act”), that are designated for outreach activities pursuant to section 16(d)(2) of the Compensation Act shall be deposited in the Crime Victims Compensation Fund Fund, established by section 16a of the Compensation Act, for the purpose of outreach activities, and shall remain available until expended.

SEC. 4. TRANSFER OF FUNDS. Notwithstanding any other law, the District of Columbia Courts shall transfer to the D.C. Treasury all fines levied and collected by the Courts in cases charging Driving Under the Influence and Driving While Impaired. The transferred funds shall remain available until expended and shall be used by the Office of the Corporation Counsel, for enforcement and prosecution of District traffic alco- hol laws in accordance with section 10(b)(3) of the District of Columbia Traffic Control Act, approved March 3, 1925 (13 Stat. 1124; D.C. Official Code, sections 5–2201.03(b));

SEC. 5. TRANSFER TO CHILD AND FAMILY SERVICES AGENCY. Of the amount appropriated as a Federal payment to the District of Columbia for the Fiscal Year 2002 District of Columbia Appropriations Act (Public Law 107–96; 115 Stat. 927) that remain available through September 30, 2003, $580,000 shall be transferred to the District of Columbia Child and Family Services Agency for child abuse services.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA (INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the travel and hire of officers of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Act of 1997 (Public Law 105–33; 111 Stat. 712), $154,707,000 of which not to exceed $2,000 is for official receptions related to offender and defendant programs, such support of which $95,682,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; $23,070,000 shall be transferred to the Public Defender Service; and $35,955,000 shall be available to the Pretrial Services Agency: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

ST. COLETTA OF GREATER WASHINGTON EXPANSION PROJECT

For a Federal contribution to St. Coletta of Greater Washington, Inc., for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiply-handicapped adolescents and adults in the District of Columbia, including property acquisition and construction, $2,000,000.

FEDERAL PAYMENT TO THE DEPARTMENT OF TRANSPORTATION

For a Federal payment to the Department of Transportation in the District of Columbia, $1,000,000: Provided, That such funds will be used to implement Transportation Systems Management initiatives and strategies recommended in the 2001 report by the Interagency Task Force of the National Capital Planning Commission in coordination with the National Capital Planning Commission.

FEDERAL PAYMENT FOR ANACOSTIA WATERFRONT INITIATIVE IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for implementation of the Anacostia Waterfront Initiative, $55,000,000, to remain available until expended, of which...
$50,000,000 shall be for the District of Columbia Water and Sewer Authority for the Combined Sewer Overflow Long-Term Control Plan, to be used for system design and upgrades: Provided, That the District of Columbia Water and Sewer Authority provides a 100 percent match for the fiscal year 2003 Federal contribution of $50,000,000 to begin implementation of the multi-year Long-Term Control Plan: Provided further, That that $5,000,000 of the funds made available under this heading, shall be for environmental and infrastructure development of parks and recreation facilities on the Anacostia River.

**FEDERAL PAYMENT FOR CAPITAL STRUCTURE**

For a Federal payment to the District of Columbia for improvement of citywide capital infrastructure, $13,100,000, of which $5,000,000 shall be for construction of a multi-year Long-Term Control Plan: $100,000 shall be for capital improvements of Eastern Market; and $3,000,000 shall be to begin the design and construction of a state-of-the-art forensic laboratory.

**FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR FAMILY LITERACY**

For a Federal payment to the District of Columbia for the development of the multi-year Long-Term Control Plan: provided by inserting the following new paragraph into the School Reform Act:

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(5) Family Literacy Program.—The Mayor and the Council of the District of Columbia shall require attorneys in IDEA cases to disclose any financial interest in the legal representation of a child, or any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the Office of Special Education and Family Services Agency of the District of Columbia: Provided, That part the per pupil allocations to public charter schools shall not be less than $1,500.
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**ADMINISTRATIVE PROVISIONS**

**SEC. 6. CHARTER SCHOOL DEVELOPMENT.**

Section 602(e) of the Student Loan Marketing Association Reorganization Act of 1998 (Public Law 106–113, 113 Stat. 1501), approved November 29, 1999, as modified by Public Law 107–96 (115 Stat. 924), approved December 21, 2001, shall establish and fulfill the following performance measures: [Details not provided in the image]...
Representatives on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA: Provided further, That the Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia:

**PUBLIC EDUCATION SYSTEM**

Provided, That notwithstanding any other provision of law, except as provided in section 459A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93–196; D.C. Official Code, sec. 1–204.56a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2003 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,533,000,000 shall be from local funds, and $370,000,000 shall be from Federal funds, and $879,813,000 shall be from private and other funds) and $556,121,000 from intra-District funds: Provided further, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act and as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 459A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93–196; D.C. Official Code, sec. 1–204.56a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2003 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,533,000,000 shall be from local funds, and $370,000,000 shall be from Federal funds, and $879,813,000 shall be from private and other funds) and $556,121,000 from intra-District funds: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that all requirements of these provisions, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2003, except that the Chief Financial Officer may not re-program for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

**DIVISION OF EXPENSES**

Provided, That notwithstanding any other provision of law, except as provided in section 459A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93–196; D.C. Official Code, sec. 1–204.56a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2003 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,533,000,000 shall be from local funds, and $370,000,000 shall be from Federal funds, and $879,813,000 shall be from private and other funds) and $556,121,000 from intra-District funds: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that all requirements of these provisions, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2003, except that the Chief Financial Officer may not re-program for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

**GOVERNMENTAL DIRECTION AND SUPPORT**

Provided, That notwithstanding any other provision of law, except as provided in section 459A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93–196; D.C. Official Code, sec. 1–204.56a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2003 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,533,000,000 shall be from local funds, and $370,000,000 shall be from Federal funds, and $879,813,000 shall be from private and other funds) and $556,121,000 from intra-District funds: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: Provided further, That no revenues from Federal or local funds, shall be used to apportion for the financial support of activities operations or activities of the Statehood Commission and Statehood Compact Commission: Provided further, That the District of Columbia shall not use any federal funds for Administration to Statehood from its own locally-generated revenues: Provided further, That notwithstanding any other provision of law, except as provided in section 459A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93–196; D.C. Official Code, sec. 1–204.56a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2003 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,533,000,000 shall be from local funds, and $370,000,000 shall be from Federal funds, and $879,813,000 shall be from private and other funds) and $556,121,000 from intra-District funds: Provided further, That the Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications: Provided further, That the District of Columbia may conduct investigations to determine the accuracy of the certifications.
the student enrollment of each District of Columbia Public School and of each public charter school.

(3) THE DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL FUND.—$3,000,000 from local funds shall be available for public charter schools: Provided, That there shall be quarterly disbursement of funds to the District of Columbia Public Charter School Fund, with the amount to occur within 15 days of the beginning of each fiscal year: Provided further, That if the entirety of this allocation has not been expended, payments to public charter school currently in operation through the per pupil funding formula, the funds shall be available in accordance with the School Reform Act of 1995 (Public Law 104–105, sec. 127; D.C. Official Code, sec. 1804.03(b)(2)); Provided further, That the amounts made available to public charter schools, $35,000 shall be made available to the Office of the Chief Financial Officer and authorized by D.C. Official Code, sec. 1804.03(b)(2): Provided further, That $389,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2003, an amount equal to 25 percent of the total amount provided for the Board for administrative costs in the proposed budget of the District of Columbia for fiscal year 2004 as submitted to Congress, and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2004.

(4) UNIVERSITY OF THE DISTRICT OF COLUMBIA.—$83,990,000 (including $52,272,000 from local funds, $12,668,000 from Federal funds, and $19,050,000 from other funds) shall be available from the Charter School Fund for educational purposes.

(5) THE COMMISSION ON THE ARTS AND HUMANITIES.—$20,000,000, from funds appropriated earlier in this Act and not previously expended, shall be available until expended, for development of Charter School facilities in the District of Columbia.

ADMINISTRATIVE PROVISION

SEC. 11. CHARTER SCHOOL FUND. The School Reform Act of 1995, approved November 19, 1997 (Public Law 105–105, sec. 172; 111 Stat. 2191; D.C. Official Code, sec. 38–1804.03(b)), is amended to read as follows:

‘‘(b) PAYMENTS TO CHARTER SCHOOLS.—

‘‘(1) ESTABLISHMENT OF FUND.—The fund previously established in the general fund of the District of Columbia known as the ‘New Charter School Fund’ shall now be known as the ‘Charter School Fund’.

‘‘(2) CONTENTS OF FUND.—The Charter School Fund shall consist of:

‘‘(A) unexpended and unobligated amounts appropriated from local funds for public charter schools for each fiscal year that reverted to the general fund of the District of Columbia: Provided, That the amount of funds deposited shall not be an amount greater than is necessary to reach a balance of $10,000,000 from the fiscal year 2002 appropriation, and from the fiscal year 2003 and succeeding years appropriation; and

‘‘(B) any interest earned on such amounts, to carry out the purposes described in paragraph (3) of this subsection for each fiscal year.

‘‘(3) PURPOSES OF FUND.—The Charter School Fund shall be used to carry out the activities to assist public charter schools in the District of Columbia in providing funding in such cases where the total audited enrollment, including enrollment in special needs categories, exceeds that of the student enrollment on which the annual appropriation is based in that fiscal year.

‘‘(4) EXPENDITURES FROM FUND.—

‘‘(A) EXPENDITURES FROM THE FUND FOR ENROLLMENT IN EXCESS OF ANNUAL PUBLIC CHARTER SCHOOL PROJECTIONS.—Funds shall be available from the Charter School Fund for any public charter school operating in that fiscal year, in such cases where the total audited enrollment, including enrollment in special needs categories, exceeds that of the student enrollment on which the annual appropriation is based in that fiscal year.

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

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

HUMAN SERVICES

WORKFORCE INVESTMENTS

For workforce investments, $54,186,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for wrench employees and properly payable.

RESERVE

For replacement of funds expended, if any, during fiscal year 2002 from the Reserve established by section 202(i) of the District of Columbia Appropriations Act, 2002, for Capital Outlay, $1,000,000, to remain available until expended.

EMERGENCY AND CONTINGENCY RESERVE FUND

For the Emergency and Contingency Reserve Funds established under section 450A(b) of the District of Columbia Home Rule Act (Public Law 104–193; D.C. Official Code, sec. 1–204.50a(b)), the Mayor may deposit from local funds the proceeds required
to maintain balance requirements pursuant to section 159(a) of Public Law 106-522 and section 404(c) of Public Law 106-554.

**REPAYMENT OF LOANS AND INTEREST**

For payment of principal, interest, and certain fees resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, Public Law 93-198; D.C. Official Code, secs. 1-204.62, 1-204.75, 1-204.90, $267,451,000 from local funds; *Provided*, That for equipment leases, the Mayor may lend $14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity of up to five years.

**REPAYMENT OF GENERAL FUND RECOVERY DEBT**

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1999, $39,300,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, (105 Stat. 546; D.C. Official Code, sec. 1-204.61(a)).

**PAYMENT OF INTEREST ON SHORT-TERM BORROWING**

For payment of interest on short-term borrowing, $1,000,000 from local funds.

**WILSON BUILDING**

For expenses associated with the John A. Wilson Building from local funds.

**NON-DEPARTMENTAL AGENCY**

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget including anticipated employee health insurance cost increases and contract security costs, $5,799,000 from local funds.

**CERTIFICATES OF PARTICIPATION**

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

**SCHOOLS AND JUDGMENTS**

For making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government $22,622,000: *Provided*, That this amount shall not be construed as modifying or affecting the provisions of section 103 of this Act.

**TOBACCO SETTLEMENT TRUST FUND TRANSFER**

Subject to the issuance of bonds to pay the purchase price of the District of Columbia’s right, title, and interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Trust Fund Amendment Act of 2000, effective October 20, 1999 (D.C. Law 13-8; D.C. Official Code sec. 7–1811.01 et. seq.), there is transferred the amount available pursuant thereto, but not to exceed $50,867,000 to the Tobacco Settlement Trust Fund established pursuant to section 2302 of the Tobacco Settlement Trust Fund Establishment Act of 1999 (D.C. Official Code, sec. 7–1811.01) and the Tobacco Settlement Financing Act of 2000, effective October 19, 2000 (D.C. Law 13-72; D.C. Official Code, sec. 7–1811.01). *Provided*, That no more than $27,000,000 is authorized to be transferred to the Public Education System: *Provided further*, That no more than $25,867,000 is authorized to be transferred to Human Support Services: *Provided further*, that $50,867,000 shall remain available until expended: *Provided further*, That such transfers are subject to local law.

**EMERGENCY PREPAREDNESS**

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $15,000,000, from funds appropriated earlier in this Act as a Federal Payment, to remain available until expended, to reimburse the District of Columbia for the costs of public safety expenses related to security events in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That the Chief Financial Officer shall provide a report, within 15 days of an expenditure, to the President and to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives; and no expenditure of these funds for public safety purposes.

**PAY-AS-YOU-GO CAPITAL**

For Pay-As-You-Go Capital funds in lieu of capital financing, $16,750,000, to be transferred to the Capital Fund, subject to the “Criteria for Spending Pay-as-You-Go Fund- ing Amendment Act of 2002, approved by the Council of the District of Columbia on 1st reading, May 7, 2002 (Title 34 of Bill 14–609). Pursuant to that Act, there are authorized to be transferred from Pay-As-You-Go Capital Funds to this Act as necessary to carry out the purposes of that Act.

**CAPITAL INFRASTRUCTURE DEVELOPMENT**

For improvement of city-wide capital infrastructure in the District of Columbia, $13,100,000, from funds appropriated earlier in this Act as a Federal Payment, of which $10,000,000 shall be for construction of interoperable public safety infrastructure in the Unified Communications Center; $100,000 shall be for capital improvements of Eastern Market; $3,000,000 shall be to begin the design and planning of a state-of-the-art forensics laboratory.

**ADMINISTRATIVE PROVISIONS**

**SEC. 12. CHARTER SCHOOL FUND TRANSFER.**

Notwithstanding any other provision of law, $5,000,000 from the New Charter School Fund (renamed by this Act, “Charter School Fund”), established pursuant to the School Reform Act of 1995 (Public Law 105–150, sec. 4; 111 Stat. 172; 20 U.S.C. 1205, 1207; D.C. Official Code, sec. 38–1804.03(b)), shall be deposited, not later than January 1, 2003, into the credit enhancement revolving fund established pursuant to the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 3009–293, as amended by Public Law 107–96, Fiscal Year 2002 District of Columbia Appropriation Act).**

**SEC. 13. REPROGRAMMING DURING FISCAL YEAR THAT IS NOT A CONTROL YEAR.**

Section 47–363(a)–1 of the District of Columbia Official Code is amended by adding new paragraphs (3), (4), and (5) as follows: “(3)(A) After the adoption of the annual budget for a fiscal year that is not a control year, no reprogramming of amounts in the budget may occur unless: (1) The Mayor submits a request for such reprogramming to the Chief Financial Officer of the District of Columbia; (2) the Chief Financial Officer transmits to the Council a statement certifying the availability of the funds for such reprogramming; and (3) the financial plan and budget for the fiscal year; and (4) The Council approves the request after receiving a Committee report in sub-subparagraph (i) of this subparagraph from the Chief Financial Officer. (B) If the Chief Financial Officer does not transmit a statement as described in subparagraph (A)(ii) of this paragraph during the 15-day period, which begins on the date the Chief Financial Officer receives the request for reprogramming from the Mayor, the Chief Financial Officer shall be deemed to have transmitted the statement to the Council. Upon receipt of notice to the Mayor and Council, the Chief Financial Officer may extend the time period to transmit the statement and analyzes to the Council. After the adoption of the annual budget for a fiscal year that is not a control year, no reprogramming of amounts in the budget may occur unless the Chief Financial Officer submits to the Council a request for such reprogramming and the Council approves the request, but only if any additional expenditures resulting from the reprogramming would be offset by reductions in expenditures for another activity.

(5) For the purposes of this subsection, the term control year has the meaning given such term in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 192; D.C. Official Code, sec. 47–393(4)).**

**SEC. 14. COLLECTIVE BARGAINING REPRESENTATION.**

From the funds appropriated under this Act any agency of the District government may transfer to the Office of Labor Relations and Collective Bargaining (OLRCB) such amounts as may be necessary to pay for representation by OLRCB in third-party cases, grievances, and dispute resolution, pursuant to an Intra-District Agreement with OLRCB. The amounts shall be available for use by OLRCB to reimburse the cost of providing the representation.

**ENTERPRISE AND OTHER FUNDS**

**WATER AND SEWER AUTHORITY**

For operation of the Water and Sewer Authority, $253,745,000 from other funds of which $189,691,000 shall be used to repay the payment to the District’s debt service fund for repayment of loans and interest incurred on capital improvement projects.

For construction projects, $492,458,000, in the following capital programs: $233,669,000 for the Blue Plains Wastewater Treatment Plant, $24,539,000 for the sewer program, $56,561,000 for the combined sewer program, of which $50,000,000 is from funds appropriated earlier in this Act as a Federal Payment for Anastasia Waterfront Initiative, $3,504,000 for the road program, $34,054,000 for the water program, $8,000,000 for the capital equipment program: *Provided*, That the requirements and restrictions that are applicable to general fund improvements projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

**WASHINGTON AQUEDUCT**

For operation of the Washington Aqueduct, $57,847,000 from other funds.

**STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND**

For operation of the Stormwater Permit Compliance Enterprise Fund, $1,100,000 from other funds.

**LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND**

For the Lottery and Charitable Games Enterprise Fund, the proceeds from the sale of the Washington, D.C., Lottery and Charitable Games Enterprisement of the District of Columbia Appropriation Act, 1982 (95 Stat. 1174, 1175; Public Law 97–91), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3–172; D.C. Official Code, sec. 3–1301 et. seq. and sec. 2–1716 et seq., shall be transferred to the District of Columbia shall identify the source of funding for this appropriation title from the
District's own locally generated revenues: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $20,510,000, of which $15,510,000 is from other funds and $5,000,000 is from funds appropriated earlier in this Act as a Federal Payment for Anacostia Waterfront Initiative.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Official Code, sec. 1-711), $13,388,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: Provided, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: Provided further, That the District of Columbia Retirement Management Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned retiree benefit fund for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $78,700,000 from other funds.

NATIONAL CAPITAL REVITALIZATION CORPORATION

For the National Capital Revitalization Corporation, $6,745,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of $1,235,518,908 of which $253,991,128 be shall be re-issuied from local funds appropriated under this heading in prior fiscal years, for a net amount of $981,527,780 to remain available until expended: Provided, That funds for use of each capital project implemented under this heading may be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: Provided further, That the amount herein provided shall not be subject to the provisions of any local funds from one appropriation to another, unless otherwise specified, unless otherwise specified, unless otherwise specified, unless otherwise specified, unless otherwise specified.

SEC. 104. No part of any appropriation contained in this Act shall be available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 105. Any funds transferred to the District of Columbia for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used for permitting, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 106. None of the funds appropriated in this Act shall be available until expended: (a) to pay the salary of any employee of the District of Columbia government whose name, grade, and salary are not available for inspection by the House Committee on Appropriations, the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 107. (a) Except as provided in subsection (b), no part of this appropriation shall be used for charity purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this Act to carry out lobbying activities on any matter other than:

1. the promotion or support of any boycot; or

2. statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from expressing his or her views concerning any of the issues referred to in subsection (b).

SEC. 108. At the start of the fiscal year, the Mayor shall develop an annual plan by quart er and by project to determine Maryland's need for borrowings: Provided, That within a reasonable time after the close of each quarter, the Mayor shall provide to the Dist rict of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 109. (a) No part of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure at the end of fiscal year 2004 shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means below the Congressionally authorized level in any responsibility center for which funds have been denied or restricted; (5) reestabishes through reprogramming any program or project previously eliminated or reduced; (6) augments existing programs, projects, or responsibility centers through a reprogramm

ming of funds in excess of $1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project, or responsibility center. The reprogramming of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds from one appropriation heading to another unless the Committees on Appropriations of the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.


SEC. 111. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 2003, the Mayor of the District of Columbia shall provide to the Mayor of the District of Columbia the fiscal year 2003 revenue estimates as of the end of the first quarter of fiscal year 2003. These estimates shall be used in the budget request for the fiscal year ending September 30, 2004. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 112. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without obtaining an award that contract to the competitive bidding process. The competitive bidding process shall not be subject to the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1985 (99 Stat. 1367; Public Law 99-177), after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: Provided, That the sequestration percentage specified in title 5, United States Code, section 9002, shall be applicable to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

SEC. 113. (a) In the event a sequestration order is issued pursuant to title 5, United States Code, the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1367; Public Law 99-177), after the amounts appropriated to the District of Columbia in this Act for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: Provided, That the sequestration percentage specified in title 5, United States Code, section 9002, shall be applicable to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.
"program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applicable only to the amount of the accounts rather than to the aggregate total of those accounts: Provided, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by section 122 (a) No money may be applied by the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 115. (a) IN GENERAL.—An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2003 and any subsequent fiscal year if—

(A) the Mayor approves the acceptance and use of the gift or donation (except as provided in paragraph (2)); and

(B) the entity uses the gift or donation to carry out its authorized functions or duties.

(2) The Council of the District of Columbia and the District of Columbia courts may accept and use gifts without prior approval by the Mayor.

(b) Each entity of the District of Columbia government that accepts and uses gift funds shall maintain records of the acceptance and use of any gift or donation under subsection (a), and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term ‘entity of the District of Columbia government’ means any independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, in consultation with the Chief Financial Officer, accept and use gifts to the public schools without prior approval by the Mayor.

Sec. 116. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the office of the United States Representative or United States Senator under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

Sec. 117. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the child is endangered or where the pregnancy is the result of rape or incest.

Sec. 118. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1980 (D.C. Law 9–114; D.C. Official Code, sec. 2–302.8) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

Sec. 119. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer may accept, obligate, and expend Federal, private, or other funds that are specifically exempted from sequestration under section 122 (a) No money may be applied by the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Any individual or entity who receives Federal funds in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 8001-8004).

(c) (b)(1) In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under Federal funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) In providing financial assistance using the Chief Financial Officer of the District of Columbia, accept and use funds made available in this Act may be used by the District of Columbia government to provide each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(d) If it has been finally determined by a court of Federal or District of Columbia jurisdiction in an action or proceeding in which the judgment affixed to the judgment is not final order, and is not a judgment of the District of Columbia, any other Act may be used by the District of Columbia, accept and use funds made available in this Act, pursuant to the declaration, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Sec. 120. (a) None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2003 unless certified practicable.

(b) Any individual or entity who receives funds contained in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 8001-8004).

(c) None of the funds contained in this Act may be used by the District of Columbia Board of Education, which may, in consultation with the Chief Financial Officer, accept and use funds made available in this Act.

(d) The Chief Financial Officer of the District of Columbia shall submit, by February 15, 2003, an inventory, as of September 30, 2002, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance cost; and mileage, and whether the vehicle is allowed to be taken home by a District officer or employee if so, the officer’s or employee’s title and resident location.

(e) No officer or employee of the District of Columbia government (including any independent agency of the District of Columbia) may enter into an agreement in excess of $2.500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

Sec. 121. Notwithstanding any other provision of law, not later than 180 days after the date that a District of Columbia Public School or school within the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(b) Notwithstanding any other provision of law, not later than 120 days after the date that a District of Columbia Public School or school within the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(c) No officer or employee of the District of Columbia government (including any independent agency of the District of Columbia) may enter into an agreement in excess of $2.500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

Sec. 122. (a) No funds appropriated in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1980 (D.C. Law 9–114; D.C. Official Code, sec. 2–302.8).

(b) Any individual or entity who receives funds contained in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 8001-8004).

Sec. 123. None of the funds contained in this Act may be used by the District of Columbia Board of Education, which may, in consultation with the Chief Financial Officer, accept and use funds made available in this Act.

Sec. 124. None of the funds contained in this Act may be used by the District of Columbia Board of Education, which may, in consultation with the Chief Financial Officer, accept and use funds made available in this Act.

Sec. 125. (a) None of the Federal funds contained in this Act may be used by the District of Columbia for the purpose of implementing or enforcing the requirements of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

Sec. 126. None of the funds contained in this Act may be used by the District of Columbia Board of Education, which may, in consultation with the Chief Financial Officer, accept and use funds made available in this Act.

Sec. 127. None of the funds contained in this Act may be used by the District of Columbia Board of Education, which may, in consultation with the Chief Financial Officer, accept and use funds made available in this Act.
the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer’s agency as a result of the standards and criteria available to attorneys for representation provided under the District of Columbia Courts of Appeals during fiscal year 2003.

SEC. 127. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise limit or protect individuals with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1996, also known as Initiative 59, approved by the voters of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 128. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage under the employer plans, but the intent of Congress that any legislation enacted on such issue should include a ‘‘conscience clause’’ which provides exceptions for religious beliefs and moral convictions.

SEC. 129. (a) If the Superior Court of the District of Columbia or the Court of Appeals of the District of Columbia makes any determination on matters referred to the court by the District of Columbia from any proceeding in the Superior Court of the District of Columbia under chapter 12 of title 16, D.C. Code; or

(b) The Legalization of Marijuana for Medical Treatment Initiative Act of 1996.

SEC. 130. The Mayor of the District of Columbia shall submit to the Senate and House Committees on Appropriations, the Senate and House Committees on Housing and Urban Development and Related Agencies, and the Appropriations Committees of both Chambers, quarterly reports addressing the following issues—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to drug abuse treatment, including—

(a) the number of drug treatment facilities, the number of people served, the number of people on waiting lists, and the effectiveness of treatment;

(b) management of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve security of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency;

(3) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools; and

(4) a result of this Act (and the amendments to any of the provisions of any other federal statute, or under any authority of Congress that the officer under any authority of Congress has determined the amount of grants for which the District was eligible but failed to apply for and the number and type of grants awarded to the District for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 131. Nothing in this Act bars the circuit court of the District of Columbia from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 132. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council a revised appropriated funds operating budget in the format of the budget that the Department of the Interior and Related Agencies, including any duty to prepare a report required under this Act or in any other Act, in any request for an appropriation for fiscal year 2003, claims received previously that relate to representation provided under the Controlled Substances Act, or any tetrahydrocannabinols derivative.

SEC. 133. In addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000, in accordance with the Risk Management, Settlements and Judgments Amendment Act of 2000, effective October 19, 2000 (D.C. Law 109–149; D.C. Official Code, sec. 1-204.42), for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

SEC. 134. In addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000, in accordance with the Risk Management, Settlements and Judgments Amendment Act of 2000, effective October 19, 2000 (D.C. Law 109–149; D.C. Official Code, sec. 2–402).

SEC. 135. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to—

(a) the number of drug treatment facilities, the number of people served, the number of people on waiting lists, and the effectiveness of treatment; and

(b) the number of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve security of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency.

SEC. 136. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to—

(a) the number of drug treatment facilities, the number of people served, the number of people on waiting lists, and the effectiveness of treatment; and

(b) the number of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve security of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency.

SEC. 137. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to—

(a) the number of drug treatment facilities, the number of people served, the number of people on waiting lists, and the effectiveness of treatment; and

(b) the number of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve security of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency.

SEC. 138. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to—

(a) the number of drug treatment facilities, the number of people served, the number of people on waiting lists, and the effectiveness of treatment; and

(b) the number of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve security of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency.

SEC. 139. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to—

(a) the number of drug treatment facilities, the number of people served, the number of people on waiting lists, and the effectiveness of treatment; and

(b) the number of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve security of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency.
use $11,400,000 of the funds appropriated here- in to proceed with planning, engineering, de-
sign or construction of the Grundy, Buchanan, Dix, Dickenson County, Virginia, and Levisa Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to use $5,500,000 of the funds appropriated here- in to proceed with the planning, engineering, design or construction of the Lower Mingo County, West Virginia, McDowell County, West Virginia elements of the Levisa and Tug Forks of the Big Sandy, and Upper Cumberland River Project: Provided further, That the Secre-
tary of the Army, acting through the Chief of Engineers, is directed to continue the Dickenson County Project: Provided, as generally defined in Plan 4 of the Hun-
tington District Engineer's Draft Supple-
ment to the Section 202 General Plan for Flood Damage Reduction dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique relocated settlement needs for the flood prone communities within the County: Provided further, That the Assistant Secre-
tary of the Army, acting through the Chief of Engineers to proceed with the construction of the Dallas Floodway Extention, Texas, in accordance with the Chief of Engineers' report dated December 7, 1996: Provided further, That the Assistant Secretary of the Army, acting through the Chief of Engineers is directed to proceed with the con-
struction of the Seward Harbor, Alaska project, in accordance with the Report of the Chief of Engineers dated June 8, 1999 and the economic justification contained therein: Provided further, That the Assistant Secre-
tary of the Army, acting through the Chief of Engineers is directed to proceed with the construction of the Wrangell Harbor, Alaska project, in accordance with the Chief of Engi-
ner's report dated December 23, 1999: Pro-
vided further, That, of the funds provided herein, $3,000,000 shall be made available for the Galena Bank Stabilization Project in Ga-
lena, Alaska: Provided further, That the Secre-
tary of the Army, acting through the Chief of Engineers, is authorized and directed to use $5,000,000 of the funds provided herein for planning and engineering, as provided herein for construction of an emergency outlet from Devils Lake, North Dakota, authorized under the Energy and Water Appropriations Act, 1993 (Public Law 102–377), that addresses the needs of the area for stabilized lake levels through inlet controls, or to otherwise study and report on any activity that would permit the transfer of water from the Missouri River Basin into Devils Lake.

FLOOD CONTROL, MISSISSIPPI RIVER AND TWIN-
TARIOH, ARKANSAS, ILLINOIS, KENTUCKY, LOU-
ISIANA, MISSISSIPPI, MISSOURI, AND TEN-
NESSEE

For expenses necessary for prosecuting work, using $5,000,000 of the funds provided herein, for the planning, engineering, design work for Corps' projects to 40 percent

SEC. 101. Agreements proposed for execu-
tion by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the en-
actment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Har-
or Act of 1925, Public Law 68–580; the Civil Works Appropriations Act of 1964, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Re-
cific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all ap-
plicable projects not to exceed $50,000,000 in each fiscal year.

SEC. 102. ST. GEORGES BRIDGE, DELAWARE.

None of the funds made available in this Act may be used to carry out any activity relat-
ing to construction or removal of any ancillary or supporting facilities, which are in any way related to the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Dela-
aware and Maryland, including a hearing or any other activity relating to preparation of an envi-
ronmental impact statement con-
cerning the closure or removal.

SEC. 103. Section 101 of Public Law 106–53 is amended by striking—

SEC. 104. The Secretary of the Army, act-
ting through the Chief of Engineers, is di-
rected to increase the use of the private sec-
tor in performing planning, engineering and design work for Corps' projects to 40 percent of the planning, engineering and design work conducted by the Corps.

SEC. 105. ST. PAUL ISLAND HARBOR, ST. PAUL, ALASKA.

Like sections 3 and 4 of Public Law 101–83 of the Water Resources Development Act of 1996, the Corps of Engineers is directed to increase the use of pri-
vate contractors on all construction projects, to the extent practicable.
For carrying out activities authorized by the Central Valley Project Completion Act, $39,962,000, to remain available until expended of which such sums as may be derived from such sums as may be collected in the Central Valley Project Improvement Act, $40,904,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund, authorized by section 3404(c)(1) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575.

For carrying out authorized activities that are in accord with the CALFED Bay-Delta Program, including activities that would improve fish and wildlife habitat, water supply reliability, and water quality, consistent with plans to be approved by the Secretary of the Interior, $0, to remain available until expended; Provided, That not more than one-half of the funds made available by this Act for habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $48,904,000, and of which, not more than $500,000 is for high priority projects which shall be available for activities or functions authorized by Section 302 of Public Law 106-60; Provided, That funds contributed under 43 U.S.C. 395 are available until expended for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 1706; Provided, That such purchase is approved by the State, or otherwise made available by this Act may be expended for the preparation of cooperative drought contingency plans under title II of Public Law 102-575 and of which not more than $500,000 is for high priority projects which shall be available for activities or functions authorized by this Act, and the costs incurred in performing such work shall not obligate any funds to place the dredge in ready reserve status.

For carrying out the project for flood control for Las Vegas Wash and Tributaries, $0, to remain available until expended; Provided, That funds contributed under 43 U.S.C. 395 are available until expended for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 1706; Provided, That funds contributed under 43 U.S.C. 395 are available until expended for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 1706; Provided, That such purchase is approved by the State, or otherwise made available by this Act may be expended for the preparation of cooperative drought contingency plans under title II of Public Law 102-575 and of which not more than $500,000 is for high priority projects which shall be available for activities or functions authorized by this Act, and the costs incurred in performing such work shall not obligate any funds to place the dredge in ready reserve status.

For carrying out authorized activities that are in accord with the CALFED Bay-Delta Program, including activities that would improve fish and wildlife habitat, water supply reliability, and water quality, consistent with plans to be approved by the Secretary of the Interior, $0, to remain available until expended; Provided, That not more than one-half of the funds made available by this Act for habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $40,904,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund, authorized by section 3404(c)(1) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575.

For carrying out authorized activities that are in accord with the CALFED Bay-Delta Program, including activities that would improve fish and wildlife habitat, water supply reliability, and water quality, consistent with plans to be approved by the Secretary of the Interior, $0, to remain available until expended; Provided, That not more than one-half of the funds made available by this Act for habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $40,904,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund, authorized by section 3404(c)(1) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575.

For carrying out authorized activities that are in accord with the CALFED Bay-Delta Program, including activities that would improve fish and wildlife habitat, water supply reliability, and water quality, consistent with plans to be approved by the Secretary of the Interior, $0, to remain available until expended; Provided, That not more than one-half of the funds made available by this Act for habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $40,904,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund, authorized by section 3404(c)(1) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575.
Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California and the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified as the Secretary of the Interior as reimbursable or nonreimbursable and con-

lected until fully repaid pursuant to the “Cleanup Program—Alternative Repayment Plan” and the “SVJDP—Alternative Repayment Plan” in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program,” February 1995, prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or pro-

viding for, drainage service or drainage activi-

ties for the San Luis Unit shall be fully reim-

burseable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

TTITLE III
DEPARTMENT OF ENERGY
ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses includ-

ing the purchase, construction and ac-

quisition of plant and capital equipment and other expenses necessary for energy supply, and uranium supply and enrichment activi-

ties in carrying out the purposes of the Dep-

artment of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility for plant or facility acquisition, construction, or expansion, $1,156,306,000, to re-

main available until expended.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, in-

cluding the purchase, construction and ac-

quisition of plant and capital equipment and other expenses necessary for non-defense en-

vironmental management activities in car-

rying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility for plant or facility acquisition, construction, or expansion, $9,549,300,000, to re-

main available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to maintain, decon-

terminate, decommission, and otherwise re-

mediate uranium processing facilities, $471,154,000, of which $334,323,000 shall be de-

erved from Enrichment Divestiture and De-

contamination and Decommissioning Fund, all of which shall remain available until en-

peed.

SCIENCE

For Department of Energy expenses includ-

ing the purchase, construction and ac-

quisition of plant and capital equipment, and other expenses necessary for science activi-

ties in carrying out the purposes of the De-

partment of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or fa-

ility for plant or facility acquisition, construc-

construction, or expansion, and purchase of not to exceed 25 passenger motor vehicles for replacement only, $3,329,456,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $56,000,000, to remain available until expen-

ed and to be derived from the Nuclear Waste Fund. Funds shall be provided to the State of Nevada for nuclear waste disposal sites, to remain available until expended.

Provided further, That $6,000,000 is authorized to be appropriated for licensing activities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $6,000,000 is authorized to be appropriated for the purpose of local governments, as defined in Public Law 97–

425, to conduct appropriate activities pursu-

ant to the Act, for the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided fur-

ther, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada shall provide certification to the Department of Energy that all funds expended from such payments have been expended for ac-

tivities without further appropriation Public Law 97–425 and this Act. Failure to provide such certifi-

cation shall cause such entity to be prohib-

ited from any further funding provided for similar activities:

Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influ-

ence legislative action on any matter pend-

ing before any Federal legislative body or any State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalitions inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recov-

eries by the Secretary in carrying out activi-

ties authorized by Nuclear Waste Policy Act of 1982 in Public Law 97–425, as amended, and

lished in part not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall re-

main available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Depart-

ment of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.,) including the hire of passenger vehicles and official re-

ception and representation expenses (not to exceed $35,000), $235,000,000, to remain avail-

able until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided further, That moneys re-

ceived from any sources are offset by revenue increases of the same amount to the extent that cost of work affected by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys re-

ceived from Enrichment Divestiture and De-

contamination and Decommissioning Fund, all of which shall remain available until en-

peed.

WASTE MANAGEMENT

For Department of Energy expenses includ-

ing the purchase, construction and ac-

quisition of plant and capital equipment, and other expenses necessary for science activi-

ties in carrying out the purposes of the De-

partment of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or fa-

ility for plant or facility acquisition, construc-

construction, or expansion, and purchase of not to exceed 25 passenger motor vehicles for replacement only, $3,329,456,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425,
DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization, facility acquisition, or privatized energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $12,539,499,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $387,664,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or any facility construction or expansion, $280,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

SALARIES AND EXPENSES

Bonneville Power Administration Fund

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed $1,500. During fiscal year 2003, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for the acquisition and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $4,554,000, to remain available until expended: Provided, That, of the amounts appropriated for the sole purpose of making purchase power and wheeling expenditures shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,734,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $5,000), $192,000,000, to remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation from the General Fund estimated at not more than $0.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management contract unless the purposes such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation.

DEFENSE ACTUALIZATION

The Secretary of Energy may make a deviation from the authority to grant such a waiver.

b. At least 90 days before a contract award or amendment under which the Secretary intends to grant such a waiver, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the reasons for the waiver.

SEC. 302. None of the funds appropriated by this Act may be used to develop or implement a workforce repositioning plan that covers employees of the Department of Energy or to provide enhanced severance payments or other benefits for employees of the Department of Energy.

DEFENSE ACTUALIZATION


SEC. 303. None of the funds appropriated by this Act may be used to augment the Department of Energy Federal employee incentive bonus made available by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2644; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

DEFENSE ACTUALIZATION

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant facility, Patients, such activity contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or as of such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackaging residues; and (5) scrub alloy as referenced in the Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site.

SEC. 307. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nuclear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy from such fiscal years for nuclear security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That the term covered nuclear weapons production plant means the following:...
of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $74,400,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended, and as authorized by section 456, subsection (b) of Public Law 103–428, as amended, $134,000,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority in carrying out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding section 382N of said Act, $15,000,000, to remain available until expended.

DENALI COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Denali Commission in carrying out the purposes of the Energy Reorganization Act of 1973, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items used in the recruitment of individuals for employment, $578,184,000, to remain available until expended: Provided, That of the amount appropriated herein, $3,900,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $520,087,000 in fiscal year 2003 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at not more than $58,097,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the purposes of the Inspector General Act of 1978, as amended, $6,800,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $6,392,000 in fiscal year 2003 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at not more than $408,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 103–428, as amended, section 501, $3,200,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

Sec. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 16, United States Code.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 601. American made.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest practicable, shall provide to such entity a notice describing the statement made in subsection (a) of this Act.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest practicable, shall provide to such entity a notice describing the statement made in subsection (a) of this Act.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, that has been awarded or entered into by the Department of Energy exceeding for that site or laboratory consistent with the intent of the Department's environmental management program, or the amount of the fiscal year 2003 appropriation estimated at not more than $408,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1973, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items used in the recruitment of individuals for employment, $578,184,000, to remain available until expended: Provided, That of the amount appropriated herein, $3,900,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $520,087,000 in fiscal year 2003 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at not more than $58,097,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the purposes of the Inspector General Act of 1978, as amended, $6,800,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $6,392,000 in fiscal year 2003 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at not more than $408,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 103–428, as amended, section 501, $3,200,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

Sec. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 16, United States Code.
In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the insurance programs. Such sums shall be available in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

**Funds Appropriated to the President**

**Trade and Development Agency**

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $14,696,000, to remain available until September 30, 2004.

**Title II—Bilateral Economic Programs**

**Funds Appropriated to the President**

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2003, unless otherwise specified herein, as follows:

- **United States Agency for International Development**
  - **Child Survival and Health Programs Fund**

For necessary expenses to carry out the provisions of paragraphs (a) through (l) of section 632(b) of the Foreign Assistance Act of 1961, for child survival, health, and family planning/reproductive health activities, in addition to the funds otherwise available for such purposes, $1,790,000,000, to remain available until expended: Provided, That such sums shall be available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and rehabilitation of assistance for displaced and orphaned children; (5) programs for the prevention, treatment, and control of tuberculosis, malaria, and other infectious diseases; and (6) family planning/reproductive health: Provided further, That none of the funds appropriated under this heading may be used to finance any project in which the primary purpose of which is to allow a woman to become pregnant or to remain pregnant: Provided further, That none of the funds made available under this Act may be used to support any project that involves the provision of abortion services.

**Overseas Private Investment Corporation**

The Overseas Private Investment Corporation is authorized to make, notwithstanding section (b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.

**Administrative Expenses**

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles, as authorized by section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available until September 30, 2004: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; Provided further, That such sums shall remain available until September 30, 2003, for the disbursement of direct loans, loans guaranteed by the Export-Import Bank, and tied-aid grants obligated in fiscal years 2003, 2004, 2005, and 2006: Provided further, That none of the funds appropriated by this Act or any prior Act for guarantee or insurance programs for the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with a transaction for which the Bank has approved an application for a loan, guarantee or insurance commitment, is authorized to make, without regard to the location of the transaction, transactions which are not primarily intended for the purpose of modifying such loans, as defined in section 502 of the Congressional Budget Act of 1974, and to use funds for: (a) loan guarantees and insurance, export financing, and related programs for tied-aid credits or grants to be used for any purpose except through the procedures of the Export-Import Bank: Provided further, That none of the funds appropriated by this Act or any prior Act for guarantee or insurance programs for the Export-Import Bank, and tied-aid grants, shall be used for any other purpose except through the procedures of the Export-Import Bank: Provided further, That such sums shall be available for direct loan commitments and guarantees and insurance for any project identified as significant in the President's annual report to Congress pursuant to section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.

**Noncredit Account**

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $39,885,000: Provided further, That in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof, the Export-Import Bank is authorized to make, without regard to the location of the transaction, transactions which are not primarily intended for the purpose of modifying such loans, as defined in section 502 of the Congressional Budget Act of 1974; Provided further, That such sums shall remain available until September 30, 2003, for the disbursement of direct and guaranteed loans obligated in fiscal year 2003, and for expenses necessary to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $44,696,000, to remain available until September 30, 2004.
States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern of violations of such violations contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violations and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961, no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning methods, and all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term 'motivate', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That restrictions with respect to assistance under this Act, family planning methods, or child survival and health activities shall not be construed to restrict assistance in support of programs to expand the availability of, or prevent infections from, HIV/AIDS and contraceptive funds appropriated by this Act: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 101, 105, 106, and 131, and chapter 10 of part I of the Foreign Assistance Act of 1961, $3,365,500,000, to remain available until September 30, 2004: Provided, That none of the funds appropriated under this heading may be used to restrict assistance to programs which are in contradiction to the Convention on International Trade in Endangered Species of Flora and Fauna: Provided further, That funds appropriated under this heading that are available for assistance programs for displaced and orphaned children and victims of war, not to exceed $32,500,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That the aggregate amount of funds appropriated under this heading that are made available for agriculture and rural development programs, $35,000,000,000, shall be made available for plant biotechnology research and development: Provided further, That not less than $2,300,000,000 should be made available for core support for the International Fertilizer Development Center: Provided further, That of the funds appropriated under this heading, not less than $1,000,000,000 shall be made available for support of the United States Telecommunications Assistance Program: Provided further, That of the funds appropriated under this heading, not less than $19,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated by this Act, $450,000,000 should be made available for water-related assistance programs, of which $100,000,000 shall be made available for drinking water supply projects: Provided further, That funds made available under this heading shall be made available for programs to provide alternative livelihoods for Vietnamese coffee growers.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $230,000,000, to remain available until expended.

In addition, for assistance for Afghanistan, $90,000,000 to remain available until expended, of which funds shall be used for humanitarian and reconstruction assistance for the Afghan people including health and education programs, housing, to improve the status of women, infrastructure, to further political reforms, and assistance for victims of war and displaced persons: Provided further, That for necessary expenses for international disaster assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $55,000,000, to remain available until expended, such funds shall be used for humanitarian and reconstruction assistance for Afghanistan, which sum shall be made available for such purposes: Provided further, That of the funds provided under this heading, up to $10,000,000 shall be made available for costs related to the construction of temporary, secure facilities for United States Agency for International Development personnel in Afghanistan: Provided further, That the funds appropriated under this heading are in addition to funds otherwise available for such purposes: Provided further, That none of the funds appropriated under this heading and in addition to funds otherwise available for such purposes, may be used to provide alternative livelihoods for Vietnames coffee growers.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, as amended, $230,000,000, to remain available until expended: Provided, That none of the funds appropriated under this heading may be used to finance the construction (including architect and engineering services) of any long term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long term lease of offices in a re- port to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed $1,000,000.

BILATERAL ECONOMIC ASSISTANCE

For necessary expenses to carry out the provisions of section 105 of chapter II, $2,260,000,000, to remain available until September 30, 2004: Provided, That none of the funds provided under this heading may be used to provide alternative livelihoods for Vietnames coffee growers: Provided further, That of the funds appropriated under this heading, not less than $800,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: Provided further, That not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $800,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: Provided further, That not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis: Provided further, That of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis:

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees, as authorized by sections 108 and 635 of the Foreign Assistance Act of 1961, $4,520,000,000, to remain available until expended, to support the operations of the Development Credit Authority (including transfer of funds) of the Foreign Assistance Act of 1961, as amended, $230,000,000, to remain available until expended, to support the Operations of the Development Credit Authority (including transfer of funds).
than $5,000,000 should be made available for programs and activities which bring together Arabs and Israelis to promote understanding and shared solutions to common problems, including "Arava Institute for Environmental Studies", "Seeds of Peace", and "Jerusalem International YMCA": Provided further, That of the funds appropriated under this heading, not less than $75,000,000 shall be made available for assistance for Jordan: Provided further, That of the funds appropriated under this heading, not less than $1,000,000 of the funds provided in the previous proviso may be used to further legal reforms in Jordan and Georgia, including judicial training on commercial disputes and ethics: Provided further, That $15,000,000 of the funds appropriated under this heading shall be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicultural projects, and measures aimed at reunification of Cyprus designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That $35,000,000 of the funds appropriated under this heading shall be made available for assistance for the Central Government of Lebanon: Provided further, That the Government of Lebanon should enforce the custody and international pickup orders, issued for year 2003 in the Lebanese civil courts regarding abducted American children in Lebanon: Provided further, That not less than $15,000,000 of the funds appropriated under this Act shall be made available for assistance for Indonesia, of which not less than $10,000,000 shall be made available for programs and activities in Aceh, and not less than $5,000,000 for reconstruction and recovery efforts in Bali: Provided further, That none of the funds made available for Aceh in this Act may be used to construct or maintain an airport that threatens the habitat of orangutans or other endangered species: Provided further, That of the funds available under this heading, not less than $25,000,000 shall be made available for assistance for the Democratic Republic of Timor-Leste of which up to $1,000,000 shall be made available for administrative expenses of the United States Agency for International Development: Provided further, That of the funds appropriated under this heading, not less than $1,500,000 shall be made available for assistance for countries to implement and enforce the Kimberly Process Certification Scheme: Provided further, That of the funds appropriated under this heading, not less than $250,000 shall be made available for programs and activities administered by the National Endowment for Democracy that promote human rights in North Korea: Provided further, That $3,000,000 shall be made available for the international youth exchange program for secondary students from countries with significant Muslim populations: Provided further, That of the funds appropriated under this heading, $10,000,000 shall be made available to continue the provision of wheelchairs for needy persons in developing countries: Provided further, That funds appropriated under this heading may be used, notwithstanding section 505 of the Act and the provisions of chapters 11 and 12 of part I of title II of the Russian Independence Act of 1990, to make funds available for nuclear reactor safety initiatives and not less than $3,000,000 shall be made available for coal mine safety.
programs, including mine ventilation and fire prevention and control.

(c) Of the funds appropriated under this heading, not less than $90,000,000 shall be made available for assistance for Armenia.

(d) Of the funds appropriated under this heading, $37,000,000 should be made available for assistance in Chechnya.

(e) The funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the 45 percent determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation:

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing unimpeded access to international non-governmental organizations providing humanitarian relief to internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to:

(A) assistance to combat infectious diseases, biological activities, or equipment for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(3) The Committees on Appropriations, in consultation with the Secretary of State, may make available for assistance for the Andean region of South America, $650,000,000, to remain available until expended:

Provided, That none of the funds made available under this heading shall be used to pay for abortions: Provided further, That funds appropriated under this heading shall remain available until September 30, 2004.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $156,713,000, to remain available until expended:

Provided, That any funds made available under this heading for anti-crime programs solely to suppress, control shall be made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That during fiscal year 2003, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property or proceeds generated from non-government activities of the foreign Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, $20,000,000 shall be made available for anti-trafficking in persons programs, including trafficking prevention, protection and assistance for victims, and prosecution of traffickers: Provided further, That of the funds appropriated under this heading, not less than $225,000,000 shall be apportioned directly to the United States Agency for International Development, to be used for economic and social programs: Provided further, That any funds made available for anti-trafficking programs, including trafficking prevention, protection and assistance for victims, and prosecution of traffickers shall be subject to the regular notification procedures of the Committees on Appropriations.

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $16,883,000, to remain available until September 30, 2004.

AFRICAN DEVELOPMENT FOUNDATION


MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to...
provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration, the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Assistance Act of 1961; allowances as authorized by section 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles as authorized by section 3109 of title 5, United States Code; and an additional voluntary contribution to the International Atomic Energy Agency: Provided further, That none of the funds appropriated under this heading may be used, notwithstanding any other provision of law, for demining and related activities; of which not less than $16,565,000 may be available for administrative expenses: Provided further, That not less than $60,000,000 of the funds made available under this heading shall be made available to refugees from the former Soviet Union and Eastern Europe and other refugees resetting in Israel: Provided further, That funds made available for assistance under this heading shall be made available to international organizations for assistance for refugees from North Korea.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended, $877,200,000 shall remain available until expended: Provided, That not more than $18,350,000 of the funds made available under this heading shall be available for the voluntary contributions made by the United States to the operation and management of the demining program: Provided further, That the Secretary of State is authorized to support, in full, any contribution by the United States of America in accordance with the terms of a grant, cooperative agreement, or otherwise, of which not less than $10,500,000 may be provided for the Support and Management of the Small Arms Destruction Initiative.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961 (relating to international technical assistance activities), $10,500,000, to remain available until expended, notwithstanding any other provision of law.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to carry out the provisions of section 12(c) of the Foreign Assistance Act of 1961, $80,000,000, of which up to $3,000,000 may remain available until expended: Provided, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c) of the Act which would limit the amount of funds which could be appropriated for this purpose.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs, $306,400,000 shall remain available until expended: Provided, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c) of the Act which would limit the amount of funds which could be appropriated for this purpose.

FunDS APPROPRIATED TO THE PRESIDENT

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act of 1976, $15,700,000, to remain available until expended, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for anti-terrorism assistance, $10,500,000, to remain available until expended: Provided, That of the funds appropriated under this heading shall be made available to the United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided further, That of this amount, $17,300,000 shall be made available for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided further, That of this amount not to exceed $15,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such purposes as the Independent States of the former Soviet Union and international organizations that receive U.S. funds to do so following consultation with the appropriate countries of Congress: Provided further, That funds appropriated under this heading shall be obligated upon presentation for security assistance program: Provided further, That none of the funds appropriated under this heading may be used for any activity that the Secretary of Defense, in consultation with the Secretary of State, shall keep a record of each foreign military and civilian participant in activities provided under this heading, consistent with current Security Assistance Management Manual practices, updated to reflect the conditions under which the individual completes participation in such activities, and such records shall be included in the database required by section 546 of the Foreign Assistance Act of 1961.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act of 1976, $15,700,000, to remain available until expended, not otherwise available, to provide for the voluntary contributions of the United States of America to the International Atomic Energy Agency: Provided further, That the funds appropriated by this paragraph may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, the destruction of small arms, and related activities, and may in the President's discretion be provided to international organizations, and section 301 of the Foreign Assistance Act of 1961 for anti-terrorism assistance, $10,500,000, to remain available until expended: Provided further, That none of the funds appropriated under this heading may be used for any activity that the Secretary of Defense, in consultation with the Secretary of State, shall keep a record of each foreign military and civilian participant in activities provided under this heading, consistent with current Security Assistance Management Manual practices, updated to reflect the conditions under which the individual completes participation in such activities, and such records shall be included in the database required by section 546 of the Foreign Assistance Act of 1961.
Defense during fiscal year 2003 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2003 shall be transferred to an Interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

DEMOGRAPHIC OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $220,250,000: Provided, That the funds appropriated under this heading shall be made available for assistance for Afghanistan: Provided further, That of the funds appropriated under this heading, not less than $50,000,000 shall be available for assistance for Africa Regional Peacekeeping Operations and the Africa Crisis Response Initiative: Provided further, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLES IV—MULTILATERAL ECONOMIC ASSISTANCE

Funds appropriated to the President International Financial Institutions

For the United States contribution for the Global Environment Facility, $177,812,533, to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $857,358,333, to remain available until expended: Provided, That in negotiating United States participation in the next replenishment of the International Development Association, the Secretary of the Treasury shall accord high priority to providing the International Development Association with the policy flexibility to provide new grant assistance to countries eligible for debt reduction under the enhanced HIPC Initiative.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, $1,631,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and section 2 of the United Nations Environment Program Partnership Act of 1973, $215,000,000: Provided, That none of the funds appropriated under this heading may be made available to the Korean Peninsula Energy Development Organization or the International Energy Agency: Provided further, That funds appropriated under this heading in this Act and in Public Law 107–115 shall be made available for UNFPA in this Act: Provided further, That none of the funds appropriated under this heading may be made available to the United Nations Population Fund (UNFPA) if the Secretary of State determines that UNFPA no longer supports or participates in the management of a program of coerced abortion or involuntary sterilization: Provided further, That none of the funds made available for the UNFPA may be used in the People's Republic of China: Provided further, That the conditions on availability of funds for the UNFPA as contained in section 576(c) of Public Law 107–115 shall apply to any assistance provided pursuant to this Act: Provided further, That of the funds appropriated under this heading, $12,025,000 shall be available for the United Nations Environment Program: Provided further, That of the funds appropriated under this heading, a total of $12,825,000 shall be made available for International Conservation Programs and the International Panel on Climate Change/United Nations Framework Convention on Climate Change: Provided further, That of the funds appropriated under this heading, not less than the following amounts should be made available for the following programs: $6,500,000 for Organization of American States Democracy Assistance Programs, $3,500,000 for the Organization of American States Fund for Strengthening Democracy, $6,000,000 for the World Food Program, $2,500,000 for International Fellowships for Scientists, Educational, and Cultural Activities, and $1,000,000 for the United Nations Center for Human Settlements: Provided further, That of the funds appropriated under this heading not less than $500,000 should be made available for a United States contribution to the International Coffee Organization (ICO) if the United States becomes a member of the ICO prior to June 1, 2003.

PRIVATE AND VOLUNTARY ORGANIZATIONS

SEC. 502. (a) None of the funds appropriated or otherwise made available by this Act for development activities in any one year shall be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains more than 30 percent of its funding for international activities from sources other than the United States Government: Provided, That the Administrator of the United States Agency for International Development, after informing the Committees on Appropriations, may, on a case-by-case basis, waive the restriction contained in this subsection, after taking into account the effectiveness of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

(b) Funds appropriated or otherwise made available under the heading "Peace Corps" for voluntary organizations at a level which is at least equivalent to the level provided in fiscal year 1995.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: Provided further, That all such steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed $5,000 shall be for entertainment expenses of the United States Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $125,000 shall be available for representation allowances for the United States Agency for
International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned arms and arms-related items valued at $100,000 or more shall be provided to any country whose duly elected head of government shall be determined by the President, following consultations with the Committees on Appropriations, to benefit American producers.

Transfers between accounts
SEC. 509. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically authorized by law. The President, prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

Delegation/reobligation authority
SEC. 510. Obligated balances of funds appropriated to carry out section 23 of the Arms Control and National Security Act of 1961, as amended, and section 521 of the Foreign Assistance Act of 1961, as amended, and funds provided under the heading "Trade and Development Financing Program", not to exceed $2,000 shall be available for representation and entertainment allowances: Provided further, That the funds made available by this Act under the heading "International Military Education and Training", not to exceed $2,000 shall be available for representation and entertainment allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed $2,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading "Peace and Security in the Middle East", not to exceed $2,000 shall be available for representation and entertainment allowances.

Prohibition on financing nuclear goods
SEC. 506. None of the funds appropriated or made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents: Provided further, That such assistance or financing under this Act may be provided for Iraq notwithstanding the provisions of this section or any other law, including comparable provisions contained in prior foreign operations, export financing, and related programs appropriations Acts, if the President determines that the provision of assistance or other financing for Iraq is important to the national security interests of the United States: Provided further, That this subsection shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, or similar, commodity and the Chairman of the Board so notifies the Committees on Appropriations.

Obligated balances of funds that would be otherwise available pursuant to this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding for agricultural purposes, study, or introduction, consultation, publication, conference, or training in connection with the growth or production in a foreign country of any commodity which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

Surplus commodities
SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Bank, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by any of these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

Notification requirements

(a) The Committees on Appropriations Committees of both Houses of Congress shall be previously notified 15 days in advance of any commitment of funds appropriated for the purposes of section 23 of...
the Arms Export Control Act for the provi-
dation of major defense equipment, other than
ventional ammunition, or other major
defense items defined to be aircraft, ships,
missions, missiles, or munitions not more
ified to Congress or 20 percent in excess of
the quantities justified to Congress unless
the Committees on Appropriations are noti-
ified in accordance with such Committee
Provided further, That this section shall not
apply to any reprogramming for an activity,
program, or project under chapter 1 of part 1
of the Foreign Assistance Act of 1961 of less
than 10 percent of the amount previously
justified to the Congress for obligation for
such activity, program, or project for the
current fiscal year; Provided further, That
requirements of this section or any similar
provision of this Act or any other Act, in-
cluding any prior Act requiring notification
in accordance with the requirements of the
procurement and reprogramming procedures of the Committees on Appropria-
tions, may be waived if failure to do so would
pose a substantial risk to human health or
safety; Provided further, That in case of any
such waiver, notification to the Congress, or
the appropriate congressional committees,
shall be provided as early as practicable, but
in no event later than 3 days after taking the
action to which such notification require-
ment was applicable, in the context of the
circumstances necessitating such waiver;
Provided further, That any notification pro-
vided pursuant to such a waiver shall con-
tain an explanation of the emergency cir-
stances.

NOTIFICATION ON AVAILABILITY OF FUNDS FOR
INTERNATIONAL ORGANIZATIONS AND PROGRAMS
SEC. 516. Subject to the regular notifica-
tion procedures of the Committees on Appropria-
tions, funds appropriated under this Act or any
prior Act making Appropria-
tions for foreign operations, export fi-
ancing, and related programs, which are re-
turned or not made available for organiza-
tions and programs because of the implementa-
tion of section 307(a) of the Foreign Assist-
ance Act of 1961, shall remain available for

INDEPENDENT STATES OF THE FORMER SOVIET
UNION
SEC. 517. (a) None of the funds appropriated
under the heading “Assistance for the Inde-
pendent States of the Former Soviet Union”
shall be expended for assistance to a govern-
ment of an Independent State of the
former Soviet Union—
(1) unless that government is making
progress in implementing comprehensive
economic reforms, securing the transfer of
control of enterprises to private own-
ciples, private ownership, respect for com-
mercial contracts, and equitable treatment
of foreign private investment; and
(2) if that government applies or transfers
United States assistance to any entity for
the purpose of expropriating or seizing own-
ership or control of assets, investments, or
ventures.

Assistance may be furnished without regard
to this subsection if the President deter-
mines that to do so is in the national inter-
est.

(b) None of the funds appropriated under
the heading “Assistance for the Independent States of the Former Soviet Union” shall
be expended for any assistance to an Inde-
pendent State of the former Soviet
Union if that government directs any
action in violation of the territorial integ-
rity or national sovereignty of any other
Independent State of the former Soviet
Union, such as those violations included in
the Helsinki Final Act: Provided, That
such funds may be made available with
respect to the restriction in this subsection if
the President determines that to do so is in the
national security interest of the United States.

(c) None of the funds appropriated under
the heading “Assistance for the Independent States of the Former Soviet Union” shall
be made available for any state to enhance its
military capability: Provided, That this re-
striction does not apply to demilitarization,
demobilization, and demilitarization pro-
grams; Provided further, That funds
appropriated under the heading “Assistance for the Independent States of the
Former Soviet Union” for the Russian
States Agency for International Develop-
mint Assistance for the purpose of carrying out
activities described in this section shall
be subject to the regular notification
procedures of the Committees on Appropria-
tions.

(d) Funds made available in this Act for as-
sistance for the Independent States of the
former Soviet Union shall be subject to the
provisions of section 117 (relating to environ-
mental and natural resources) of the Foreign Assistance Act of 1961.

(e) Funds appropriated in this or prior ap-
propriations Acts that are or have been
made available for an Enterprise Fund in the
Independent States of the Former Soviet Union may be deposited by such Fund in interest-
bearing accounts prior to the disbursement
of such funds. Provided further, That
the Fund may retain for such pro-
gram purposes any interest earned on such
deposits to the Treasury of the United States and with-
out further appropriation by the Congress. Funds
made available for Enterprise Funds shall be expended at the minimum rate neces-
sary to make timely payment for projects and
activities.

(f) In issuing new task orders, entering
into contracts, or making payments, with funds
appropriated in this Act or prior appropria-
tions Acts under the heading “Assistance for
the Independent States of the Former Soviet
Union” with respect to any of its allow-
ances, the Coordinator for United
States Assistance to the New Independent
States and the implementing agency shall
encourage the participation of and give sig-
ificant weight to contractors and grantees
who propose investing a significant amount
of their own resources (including volunteer
services and in-kind contributions) in such
projects and activities.

(g) In issuing new task orders, entering
into contracts, or making payments, with funds
appropriated under the heading “Assistance
for the Independent States of the Former
Soviet Union” with respect to projects or ac-
tivities: (1) justified to the Congress; or
(2) that the President determines that to do so is in the national interest.

SEC. 518. Not to exceed 5 percent of any ap-
propriation other than for administrative ex-
penses made available for fiscal year 2003, for
programs and activities described in section
517 of the Act for the purpose of making
Enterprise Funds available for an Enterprise
Fund in the Independent States of the
former Soviet Union—
(a) shall be expended at the minimum rate
necessary to make timely payment for projects and
activities;

SEC. 519. None of the funds appropriated
under the heading “Assistance for the Inde-
pendent States of the Former Soviet Union” shall
be made available for any assistance to an Inde-
pendent State of the former Soviet
Union if that government directs any
action in violation of the territorial integ-
rity or national sovereignty of any other
Independent State of the former Soviet
Union, such as those violations included in
the Helsinki Final Act: Provided, That
such funds may be made available with
respect to the restriction in this subsection if
the President determines that to do so is in the
national security interest of the United States.

SEC. 520. For the purpose of this Act, “pro-
gram, project, and activity” shall be defined
in accordance with such section, and shall
include all appropriations and authoriza-
tions Acts earmarks, ceilings, and limita-
tions with the exception that for the fol-
lowing accounts: Economic Support
and Foreign Military Financing Program,
“program, project, and activity” shall also be
considered to include any state level and
central program level funding within each
such account; for the development as-
sistance accounts of the United States Agen-
cy for International Development, “program,
project, and activity” shall also be con-
sidered to include central program level fund-
ing, either as: (1) justified to the Congress; or
(2) that the President determines that to do so is in the
national interest.

SEC. 521. Up to $15,500,000 of the funds made
available by this Act for assistance under
the heading “Assistance to the Independent
States of the Former Soviet Union” and the
President determines that to do so is in the
national interest.

SEC. 522. Prior to providing excess Depart-
mant of Defense articles under the heading
of section 516(a) of the Foreign Assistance Act of
1961, the Department of Defense shall not-
ify the Committees on Appropriations of the
extent and terms of any conditions as are
other committees pursuant to subsection (f)
of that section: Provided, That before issuing a letter of offer to sell excess
Defense articles under the Arms Export Con-
trol Act, the Department of Defense shall not-
ify the Committees on Appropriations in ac-
cordance with the regular notification proce-
dure of such Committees.

SEC. 523. Funds appropriated by this Act, except funds appropriated under the heading
“Trade and Development Agency”, may be
obligated and expended notwithstanding sec-
tion 307(a) of the Arms Export Control Act of
1956.
and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to the government of any country which (1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or (2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to the government of a country if the President determines that national security or humanitarian reasons justify such waiver. At least 15 days before the waiver will take effect the President shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 526. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which on or after the date of enactment of this Act, and not less than $10,000,000 shall be made available for the following purposes:

(1) To carry out the provisions of this Act or prior Acts or local currencies such as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that such furnishing is necessary in order to further the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

DEBT-FOR-DEVELOPMENT

SEC. 527. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor for the United States Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies such as foreign currency which are inconsistent with the nature of the assistance. Such funds may be used and/or disbursed as the United States Government as authorized in subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part 1 or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2) for each such country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part 1 or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to set up such separate account and not commingle them with any other funds.

APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 68 (House Report No. 96-1150).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit notification of such assistance through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be obligated will be available and a discussion of the United States interests that will be served by the assistance (including,
as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance subject to the notification requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

COMPLIANCE FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 529. (a) No funds appropriated by this Act may be made available to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation the Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5316 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, “international financial institutions” are: the International Bank for Reconstruction and Development, the Asian Development Bank, the International Monetary Fund, the African Development Bank, the Asian Development Bank, the International Finance Corporation, the International Finance Corporation, the International Bank for Reconstruction and Development, and the European Bank for Reconstruction and Development.

COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 530. None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the benefit provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 531. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing assistance programs for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted by the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 532. None of the funds appropriated by this Act may be obligated or expended to—

(a) any financial incentive to a business enterprise located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(b) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country where such an activity is proposed to be conducted, or the furnishing of financial assistance under section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not be used to assist the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

SPECIAL AUTHORITIES

SEC. 533. (a) Afghanistan, Victims of War, Displaced Children, Victims of Human Trafficking and Displaced Burmese.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act and any similar provision of law, and funds appropriated in titles I and II of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting international, national and regional programs that are designed to help stabilize Afghanistan, assist Afghan refugees and internally displaced persons, and promote free and democratic elections.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs in the countries of Africa that meet the following conditions:

Provided. That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONNEL CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 percent of the personnel in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 10 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out the Foreign Assistance Act of 1961 and the Agricultural Trade Development and Assistance Act of 1954 may be used for personal services contractors assigned only to the Office of Health and Nutrition; the Office of Procurement; the Bureau for Africa; the Bureau for Latin America and the Caribbean; and the Bureau for Near East and South Asia: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954 may be used for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 106–245 if the President determines and certifies in writing to the Speaker of the House of Representatives and the pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) CONTINGENCIES.—During fiscal year 2003, the President may use up to $45,000,000 under the authority of section 451 of the Foreign Assistance Act, notwithstanding the funding ceiling in section 451(a).

FACIAL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(g) RECONSTITUTE CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act, the President may waive section 606(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed support for a regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(h) FAINEL.—Section 660(b)(6) of the Foreign Assistance Act of 1961, and comparable provisions contained in prior Acts making appropriations for foreign operations, export financing, and related programs, are hereby repealed.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 534. It is the sense of the Senate that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was re-grettably reinstated in 1997, should be immedi-ately and publicly terminated, and the Department of State should continue to vigorously oppose any Arab League boycott of Israel;

(3) the three Arab League countries with diplomatic and trade relations with Israel should normalize relations with their neighbor Israel;

(4) the remaining Arab League states should normalize relations with their neighbor Israel;

(5) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(6) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to pro-hibit businesses from complying with the boycott and penalizing businesses that do comply.

ADMINISTRATION OF JUSTICE ACTIVITIES

SEC. 535. Of the funds appropriated or otherwise made available by this Act for “Eco-nomic Support Fund”, assistance may be
providing for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability. Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c) of the Foreign Assistance Act of 1961, as amended, and from funds appropriated under the heading "Assistance to the Palestine Liberation Organization for the West Bank and Gaza" or any other Act with respect to assistance for a country or a significant change in the country's delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS.—

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request the documentation necessary to the auditing requirements of the United States Agency for International Development.

WITHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 542. (a) In General.—Of the funds appropriated under this Act that are made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fines determined to be owed under the parking programs in the District of Columbia and New York City, New York by such country as of September 30, 2002 that were incurred after the first day of the fiscal year preceding the current fiscal year shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that the unpaid fines are fully paid to the governments of the District of Columbia and New York City, New York.

(b) Definition.—For purposes of this section, the term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the House of Representatives.

LIMITATION ON ASSISTANCE FOR THE FPO FOR THE WEST BANK AND GAZA

SEC. 543. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1996 (22 U.S.C. 4354(a)) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect. Provided, That this restriction shall not apply to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

EARMARKS

SEC. 537. (a) Funds appropriated by this Act which are earmarked may be reprogrammed to programs which are in the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this Act or any other Act, or by any other Act with respect to programs for a country that violates internationally recognized human rights.

EARMARKS

SEC. 537. (a) Funds appropriated by this Act which are earmarked may be reprogrammed to programs which are in the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this Act or any other Act, or by any other Act with respect to programs for a country that violates internationally recognized human rights.

DIVISION B—DOMESTIC SECURITY

SEC. 564. None of the funds appropriated by this Act may be obligated or expended to the extent of a portion of the funds appropriated by this Act or any other Act in support of any organization or group, or for any purpose, by the United States or any agency or instrumentality of the United States, if such organization or group, or any purpose, is substantial or significant in furtherance of any conducting official of the United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinian officials, those who have positions in the Palestinian Authority, and or Palestinian nationals, which have social contacts, and or Palestinian nationals, which have social contacts, and have incalculable incidents.

PROHIBITION ON PAYMENT OF CERTAIN EXPENSES

SEC. 574. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1996 (22 U.S.C. 4354(a)) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect. Provided, That this restriction shall not apply to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.
the heading “International Military Education and Training” or “Foreign Military Financing Program” for Informational Programs activities or under the headings “Child Survival and Development Assistance”, and “Economic Support Fund” may be obligated or expended to pay for—

1. alcoholic beverages; or
2. entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PALESTINIAN STATEHOOD

SEC. 548. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be obligated or expended to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

1. a new leadership of a Palestinian governing entity, that has not supported acts of terrorism, has been democratically elected through free and fair elections;
2. the newly elected Palestinian governing entity—
   (A) has demonstrated a firm commitment to peaceful coexistence with the State of Israel;
   (B) has taken appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantlement of terrorist infrastructure;
   (C) has established a Palestinian security entity that is fully cooperating with appropriate Israeli security organizations; and,
   (D) has taken appropriate measures to enact a constitution assuring the rule of law and other reforms assuring transparent and accountable governance;
3. the President may waive the requirements of subsection (a) if he determines that it is important to the national security interests of the United States to do so.

(c) EXEMPTION.—The restriction of subsection (a) shall not apply to assistance intended to help meet the requirements of subsection (a), consistent with provisions of sections 551 and 553 of this Act.

THIRT

SEC. 549. The Secretary of the Treasury shall instruct the United States executive directors of the International Financial Institution to use the voice and vote to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

HAIT COAST GUARD

SEC. 550. The Government of Haiti shall be entitled to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 551. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President submits to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 552. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has engaged in gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: Provided, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: Provided further, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for the withholding and, to the extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces unit to justice.

PROTECTION OF TROPICAL FORESTS AND BIODIVERSITY

SEC. 553. Of the funds appropriated under the heading “Development Assistance”, not less than $150,000,000 shall be made available for programs and activities which directly protect tropical forests and biodiversity, including activities to deter illegal logging: Provided, That none of the funds made available pursuant to this section, not less than $15,000,000 shall be made available for the Central African Regional Program for the Environment.

ENERGY CONSERVATION, ENERGY EFFICIENCY, AND CLEAN ENERGY PROGRAMS

SEC. 554. (a) FUNDING.—Of the funds appropriated by this Act, not less than $185,000,000 shall be made available for programs and activities that include—

1. development, demonstration, and commercialization of energy efficiency and clean energy programs and activities, including the transfer of clean and environmentally sustainable energy technologies; and
2. measure, monitor, and reduce greenhouse gas emissions; and
3. increase carbon sequestration activities; and
4. enhance climate change mitigation and adaptation programs: Provided, That none of the funds made available under this heading, not less than $13,000,000 shall be made available for the United States Agency for International Development’s Office of Energy and Information Technology.

(b) GREENHOUSE GAS EMISSIONS REPORT.—Not later than 45 days after the date on which the President submits his budget request to Congress, the President shall submit a report to the Committees on Appropriations describing in detail the following—

1. all Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2003, including an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President’s budget request: Provided, That none of the funds made available under this Act shall be used for any purpose other than those specified in this Act.

2. all fiscal year 2002 obligations and estimated expenditures, and fiscal year 2004 requested funds by the United States Agency for International Development, by country and central program, for each of the following: (1) to promote the transfer and deployment of a wide range of United States clean energy and energy efficiency technologies; (2) to assist in the measurement, monitoring, verification, and reduction of greenhouse gas emissions; (3) to promote carbon capture and sequestration measures; (4) to help meet countries’ responsibilities under the Framework Convention on Climate Change; and (5) to develop assessments of the vulnerability to impacts of climate change and mitigation and adaptation response strategies.

AFGHANISTAN

SEC. 555. Of the funds appropriated by this Act under the headings “Child Survival and Development Assistance”, “International Disaster Assistance”, “Transition Initiatives”, “Economic Support Fund”, “International Narcotics Control and Law Enforcement”, “Migration and Refugee Assistance”, “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, “International Military Education and Training”, and “Foreign Military Financing Program”, not less than $233,000,000 shall be made available for humanitarian, reconstruction, and other assistance for Afghanistan, including support of Afghan citizens who were damaged or destroyed as a result of military operations: Provided, That of the funds made available pursuant to this section, not less than $5,000,000 shall be made available for assistance for women’s programs, women’s rights, and economic opportunities.

ZIMBABWE

SEC. 556. The Secretary of the Treasury shall instruct the United States executive director to each international financial institution to vote against any extension by the respective institution of any loan, to the Government of Zimbabwe, except to meet basic human needs or to avoid economic sanctions, unless the Secretary of State determines and certifies to the Committees on Appropriations that the rule of law has been restored and human rights are protected, and certifies to the appropriate congressional committees that the Government of Zimbabwe is acting in a responsible manner.

NIGERIA

SEC. 557. Funds appropriated under the heading “International Military Education and Training” and “Foreign Military Financing Program” may be made available for Nigeria only for expanded international military education and training, non-lethal defense articles, until the President certifies to the appropriate congressional committees that the Nigerian Ministry of Defense, the Chief of Defense Staff, and the Minister of State for Defense/Army are suspending from the Armed Forces those members, of whatever rank, against whom there is credible evidence of gross violations of human rights in Benue State in October 2001, and the Government of Nigeria and the Nigerian Armed Forces are taking effective measures to bring such individuals to justice.

BURMA

SEC. 558. Of the funds appropriated under the heading “Economic Support Fund”, not less than $6,000,000 shall be made available to support democracy activities in Burma, democracy and humanitarian activities along...
the Burma-Thailand border, and for Burmese student groups and other organizations located outside Burma: Provided, That funds made available for Burma-related activities under this heading may be made available notwithstanding any other provision of law: Provided further, That funds made available by this section shall be subject to the regular and follow-on reviews of the Committees on Appropriations.

ENTERPRISE FUND RESTRICTIONS

SEC. 559. Prior to the distribution of any assets resulting from any liquidation, dissolution, or termination of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

CAMBODIA

SEC. 560. (a) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to meet basic food, education, health, and housing needs, and subject to the regular and follow-on reviews of the Committees on Appropriations. 

(2) Paragraph (1) shall not apply to assistance for basic education, reproductive and maternal health, cultural and historic preservation, and for the Ministry of Women and Veterans Affairs to combat human trafficking.

(c) None of the funds appropriated by this Act may be made available for assistance for the Central Government of Cambodia.

(d) Of the funds appropriated by this Act under the heading “Economic Support Fund”, $5,000,000 shall be made available, notwithstanding subsection (b), for assistance to democratic opposition political parties in Cambodia.

(3) None of the funds appropriated by this Act under the heading “Economic Support Fund”, $3,750,000 shall be made available, notwithstanding subsection (b), for assistance to democratic opposition political parties in Cambodia.

(4) Of the funds appropriated by this Act, $3,750,000 shall be made available, notwithstanding subsection (b), to a non-governmental organization that is directly supported by the United States Agency for International Development: Provided, That funds made available for such purpose shall be in addition to and at least one-half the United States contribution is provided for the endowment from sources other than the United States Government.

FOREIGN MILITARY TRAINING REPORT

SEC. 561. (a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by March 1, 2003, a report on all military training provided to foreign military forces under the heading military assistance, including sales and military training provided to the military personnel of countries belonging to the North Atlantic Treaty Organization (under programs authorized by the Department of Defense and the Department of State during fiscal years 2002 and 2003, including those proposed for fiscal year 2003. This report shall include, but need not be limited to, information regarding the level of assistance, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign student trainees and their unit organization, and the location of the training. In addition, this report shall also include, with respect to United States personnel, the operations and activities of United States personnel derived from such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall not include a report to the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and Foreign Relations Committee of the House of Representatives.

KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

SEC. 562. None of the funds appropriated by this Act that are available for assistance to KEDO for foreign operations, export financing, and related programs, may be made available for assistance to the Korean Peninsula Energy Development Organization: Provided further, That the President may waive this restriction and provide up to $3,000,000 of funds appropriated under the heading “Nonproliferation, Anti-Terrorism, Demining and Related Programs” for assistance to KEDO for administrative expenses only notwithstanding any other provision of law, if he determines that it is vital to the national security interests of the United States and provides a written policy justification to the appropriate congressional committees: Provided further, That funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

COLOMBIA

SEC. 563. (a) Determination and Certification Required.—Notwithstanding any other provision of law, funds appropriated by this Act that are available for assistance to the Colombian Armed Forces, may be made available for assistance to support the Colombian Government’s unified campaign against narcotics trafficking and against paramilitary and guerrilla organizations designated as terrorist organizations in that country, as follows:

(1) Up to 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) Up to 12.5 percent of such funds may be obligated after the determination and certification by the Secretary of State pursuant to paragraph (1). The Secretary of State shall instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Colombian Government, except loans to meet basic food, education, health, and housing needs, and subject to the regular and follow-on reviews of the Committees on Appropriations.

(b) The Colombian Armed Forces is suspending from the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, to KEDO subject to the regular notification procedures of the Committees on Appropriations.

IllegAl armed groups

SEC. 564. (a) Denial of Visas to Supporters of Colombian IllegAl Armed Groups.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) Waiver.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

prohibition on assistance to the palestinian broadcasting corporation

SEC. 565. None of the funds made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

IRAQ

SEC. 566. Notwithstanding any other provision of law, funds appropriated under the heading “Economic Support Fund” may be made available for programs benefitting the Iraqi people and to support efforts to bring about a transition to democracy in Iraq: Provided further, That none of the funds made available pursuant to the authority provided in this section may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Iraqi Government.

West Bank and Gaza Program

SEC. 567. For fiscal year 2003, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the
Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

INDONESIA

SRA. 568. (a) Funds appropriated by this Act under the heading “Foreign Military Financing Program” may be made available for assistance to Indonesia, or licenses may be issued for the export of lethal defense articles to Indonesia, only if the President certifies to the appropriate congressional committees that—

1. the Indonesia Minister of Defense is suspending from the Armed Forces those members, of whatever rank, who have been credited by the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uzbekistan is making substantial and continuing progress in meeting its commitments under the “Declaration on the Establishment of a Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America”.

2. Funds appropriated by this Act may be made available for assistance to the Government of Kazakhstan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Kazakhstan is improving in the protection of human rights during the preceding six month period.

3. Not later than 30 days prior to submission of each such report, the Secretary of State shall submit a report to the Committees on Appropriations containing—

(a) The defense articles, defense services, and financial assistance provided by the United States to the governments of Central Asia during the six-month period ending 30 days prior to submission of each such report.

(b) The use during such period of defense articles, defense services, and financial assistance for direct sales by the United States to the governments of Central Asia during the six-month period ending 30 days prior to submission of each such report.

(c) The Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Treasury, and the heads of any other Federal agencies or departments, including the Department of Justice, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by country or entity described in subsection (a).

(d) The Secretary of State shall consult with representatives of human rights organizations and all governmental committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including providing access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension;

(2) acting consistently with the Dayton Accords.

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or subdivision within a country or entity described in subsection (a).

(f) DEFINITIONS.—As used in this section—

(1) COUNTRY.—The term “country” means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term “entity” refers to the Federation of Bosnia and Herzegovina, Republic of Srpska.

(3) MUNICIPALITY.—The term “municipality” means a city, town or other subdivision within a country or entity as defined herein.

FUNDING FOR SERBIA

SEC. 576. (a) Funds appropriated by this Act may be made available for assistance for Serbia after March 31, 2003, if the President has made the determination and certification contained in subsection (c).

(b) After March 31, 2003, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans to the Government of the Federal Republic of Yugoslavia subject to the conditions in subsection (c): Provided, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Federal Republic of Yugoslavia through the international financial institutions.

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of the Federal Republic of Yugoslavia is—

(1) cooperating, on a continuing basis, with the International War Crimes Tribunal for the former Yugoslavia including unimpeded access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension;

(2) taking steps to implement policies which reflect a respect for minority rights and the rule of law, including ending Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions.

(d) Subsections (b) and (c) shall not apply to Montenegro, Kosovo, humanitarian assistance, assistance to promote democracy in municipalities, or assistance to promote reconciliation among ethnic groups within the former Yugoslavia.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 577. (a) AUTHORITY.—Funds made available to carry out the provisions of chapter 1 of part I of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 600 of that Act, to enhance the effectiveness and accountability of community policing in Jamaica, the Philippines, and El Salvador through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to Philippine police roles that support democratic governance including assistance for programs to prevent conflict and foster improved police relations with the communities they serve.

(b) REPORT.—

(1) The Administrator of the United States Agency for International Development shall submit a report to the Committee on Appropriations describing the progress the agency’s Congressional Budget Justification Document for fiscal year 2004, and annually thereafter, a report to the Committees on Appropriations describing the progress the programs are making toward improving police relations with the communities they serve and institutionalizing an effective community-based police program.

(2) The requirements of paragraph (1) are in lieu of the requirements contained in section 577(b).

(c) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTHERN EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

SEC. 578. Notwithstanding section 516(c)(1) of the Foreign Assistance Act of 1961, $2,000,000 is available for excess defense articles made available to the Department of Defense for defense purposes, for the following countries:

(1) Albania, Bulgaria, Croatia, Estonia, Former Yugoslav Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovenia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

(2) In such countries, official revenues—

(a) as defined in section 516(c)(2) of the Foreign Assistance Act of 1961, as amended, shall be equal to the amount of the foreign aid transaction, or excess for lesions mask outright theft—result in the sale of diamonds in a country that fails to meet the requirements of subsection (c).

(b) In such countries, foreign aid transactions, or excess for lesions mask outright theft—result in the sale of diamonds in a country that fails to meet the requirements of subsection (c).

(c) REQUIREMENTS.—The requirements referred to in paragraph (a) and (b) are that—

(1) the country concerned is implementing the recommendations, obligations and requirements developed by the Kimberley Process to stop conflict diamonds, and taking other measures that the Secretary of State determines to contribute effectively to preventing and eliminating the trade in conflict diamonds.

COOPERATION WITH CUBA ON COUNTER-NARCOTICS MATTERS

SEC. 580. (a) Subject to subsection (b), of the funds appropriated under the heading ‘International Narcotics Control and Law Enforcement’, $5,000,000 shall be made available to the Department of State to support the Government of Cuba on counter-narcotics matters, including—

(1) counternarcotics training, and

(2) research and development.

(b) REPORT.—

(1) The Secretary of State shall submit to the Committee on Appropriations, describing in detail—

(1) The Counternarcotics Law of 1995 should be amended to allow for the performance of voluntary sterilization as a means of family planning.

(2) Assistance may be made available for the performance of involuntary sterilization as a means of family planning.

(3) The funds made available to carried out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

TROPICAL FOREST CONSERVATION

SEC. 582. Of the funds appropriated under the headings ‘Development Assistance’ and ‘Economic Support Fund’, $50,000,000 is available for tropical forest conservation activities authorized by the Foreign Assistance Act of 1961, of which amount up to $40,000,000 may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, pursuant to the provisions of part V of such Act.

REGIONAL DEMOCRACY PROGRAMS FOR EAST ASIA AND THE PACIFIC

SEC. 583. Funds appropriated by this Act under the heading ‘Economic Support Fund’ that are available for ‘Regional Democracy’ assistance for East Asia and the Pacific shall be made available only through the Economic Support Fund.

TRANSPARENCY AND ACCOUNTABILITY

SEC. 584. (a) FINDINGS.—The Congress finds that—

(1) There is a lack of transparency in the recipients and expenditures of the national budgets of many developing countries that receive United States assistance.

(2) In such countries, official revenues—particularly from natural resource extraction—are often unreported, under-reported, or inaccurately recorded by foreign government agencies.

(3) Such inefficiencies—which in some instances mask outright theft—result in the failure of such governments to adequately provide their citizens with social, political, economic, and legal benefits and opportunities, and undermine the effectiveness of assistance provided to such countries by the United States and other international donors.

(4) Good governance and respect for the rule of law are critical to a nation’s development.

(b) REPORT.—Not more than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations, describing in detail—

(1) the countries whose central governments receive foreign assistance from the United States;

(2) the relevant laws and regulations in such countries governing the public disclosure of revenues and expenditures in national budgets;
(3) The adequacy of those laws and regulations, and the extent to which they are implemented and enforced;
(4) Those countries receiving such assistance without laws or regulations, and the extent to which such revenues and expenditures are publicly disclosed; and
(5) Programs and activities sponsored by the United States Government to facilitate accurate disclosure of revenues and expenditures in the national budgets of such countries, and the results of those programs and activities.

This division may be cited as the “Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2003”.


Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, conservation, and management of the public lands and (1) surveying, classifying, and acquiring of easements, and other interests in lands, (2) performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general supervision of the actions of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3158a), $816,062,000, to remain available until expended, of which $1,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps; of which $4,000,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3158); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460a-6a(i)); and of which $3,000,000 shall be available in fiscal year 2003 subject to the availability of an additional amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, $32,696,000 for Mining Law Acreage Leasing Operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees as so to result in a final appropriation estimated at not more than $361,062,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities; provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $654,254,000, to remain available until expended, of which not to exceed $12,374,000 shall be for the construction of fire facilities; Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were expended to provide such protection, and are available without fiscal year limitation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856i, sums received by a bureau or office of the Department of the Interior for fire protection services pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the cost of any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed by the affected parties; Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity, local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: Provided further, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service, the Bureau of Reclamation, the Forest Service, the Fish and Wildlife Service or the Bureau of Land Management for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and cooperate with each other as required by section 7 of such Act in connection with wildland fire management activities.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminated sites pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,978,000, to remain available until expended; and for costs of disposing of $1,200,000, to be derived from fees collected under title 31 U.S.C. 3302, sums received from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: Provided further, That sums derived from fees from fees from or paid by a party or parties not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be referred to the Secretary for disposal of such sums: Provided further, That 25 percent of the aggregate of all receipts during the current fiscal year from the remedied remedial action on the remediated Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent non-Federal lands or interests therein including existing connecting roads on or adjacent to such grant lands, $168,633,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the remedied remedial action on the remediated Oregon and California Railroad grant lands shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1710), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year pursuant to sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leases from lands transferred to the Department of the Interior pursuant to law, not less than $10,000,000, to remain available until expended: Provided, That funds derived from the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and resource management activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 106–393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystems Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and resource management activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 106–393) derived from treatments funded by this account shall be deposited into the Forest Ecosystems Health and Recovery Fund.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $12,976,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 30, 1976 (43 U.S.C. 6901–6907), $210,000,000, of which not to exceed $400,000 shall be available for administrative expenses: Provided, That no payment shall be made otherwise eligible to the Federal government if the computed amount of the payment is less than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $30,150,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA LAND GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the reserved Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent non-Federal lands or interests therein including existing connecting roads on or adjacent to such grant lands, $168,633,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the reserved Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 26, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND
For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of lands and resources, for the costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for reimbursing partners for such costs as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available: Provided further, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been appropriated pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered by the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, whether or not moneys collected from such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are not used to repair the damage shall be apportioned between the United States and any other entity, including States, local governments, tribes, and nonprofit organizations, with which the Secretary determines the cooperator is capable of meeting accepted quality standards.

**ADMINISTRATIVE PROVISIONS**

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $10,000 for expenses, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; and, miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate: Provided, That any such moneys appropriated for other damaged public lands.

**MISCELLANEOUS TRUST FUNDS**

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 17, 1975 (16 U.S.C. 420f–1), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of unceded lands under section 211(b) of that Act, to remain available until expended.

**LAND ACQUISITION**

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–4604), including administrative expenses, and for the acquisition of lands or waters, or other interests therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $2,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

**LANDOWNER INCENTIVE PROGRAM**

For administrative expenses associated with a Landowner Incentive Program established in Public Law 107–63, $200,000, to be derived from the Cooperative Endangered Species Conservation Fund and to remain available until expended.

**STEWARDSHIP GRANTS**

For administrative expenses associated with a Private Stewardship Program established in Public Law 107–63, $200,000, to be derived from the Cooperative Endangered Species Conservation Fund and to remain available until expended.

**CONSTRUCTION**

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein: Provided, That notwithstanding any other provision of law, a single procurement action for the construction of the Kodiac National Wildlife Refuge visitor center may be issued which includes all of the work of a project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 22.212.2.

**STATE AND TRIBAL WILDLIFE GRANTS**

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1966 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $45,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That of the amount provided herein, $3,000,000 is for a competitive grant program for States and tribes not eligible for or remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting said $3,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of one percent thereof; and (B) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (A) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (B) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Secretary shall apportion the remaining amount of the amount appropriated for the granting of Federal share of planning grants shall not exceed 75 percent of the total costs of such.
projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects shall be derived from Federal grant programs: Provided further, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, or committed to develop, by October 1, 2004, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction’s wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need. The amount considered to be the appro priate level of funding available for the con servation of those species: Provided further, That any amount apportioned in 2003 to any State, territory, or other jurisdiction that committed to develop by October 1, 2005, a comprehensive wildlife conservation plan, which may be made available to support United States Park Police are those funds approved for emergency law and order incidents, facilities administered by the National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed $10,000 per event subject to the re view and concurrence of the Washington headquarters office.

UNITED STATES PARK POLICE

For expenses necessary to carry out the provisions of the United Park and Recreation Recovery Act of 1978 (16 U.S.C. 2561 et seq.), $10,000,000, to remain available until expired.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), $67,000,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2004: Provided, That the total amount provided, $90,000,000 shall be for Save America’s Treasures for priority preservation projects of national significance and architectural traditions: Provided further, That none of the funds appropriated for Save America’s Treasures shall be for projects by the Secretary of the Interior, in consultation with the President’s Committee on the Arts and Humanities: Provided further, That none of the funds appropriated for Save America’s Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels at the National Park Service.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Omnibus Parks and Public Lands Management Act of 1989, $2,500,000 for the Virginia City Historic District, and $500,000 for the Fort Osage National Historic Landmark shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 460l–4(c).

LAND AND WATER CONSERVATION FUND

Provided further, That the amounts provided under this heading, $20,000,000 may be for Federal grants, including Federal administrative expenses, to the State of Florida for the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: Provided further, That none of the funds provided for the head ing for assistance to the State of Florida to acquire lands within the Everglades water shed are contingent upon new matching non Federal funds by the State nor shall be matched by the State pursuant to the cost-sharing provisions of section 316(b) of Public Law 104-303, and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: Provided further, That none of the funds appropriated for the State Assistance program may be used to establish a contingency fund.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 102 easements, of which 7% for replacement only (including 39 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by the Service or by the purchase is approved in advance by the Service; for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: Provided, That notwithstanding title 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines that the Public Lands Management Act of 1996 (Public Law 104-333), $67,000,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2004: Provided, That the total amount provided, $90,000,000 shall be for Save America’s Treasures for priority preservation projects of nati onally significant and architectural traditions: Provided further, That none of the funds appropriated for Save America’s Treasures shall be for projects by the Secretary of the Interior, in consultation with the President’s Committee on the Arts and Humanities: Provided further, That none of the funds appropriated for Save America’s Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels at the National Park Service.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, historic preservation programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $62,978,000.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2561 et seq.), $10,000,000, to remain available until expended.
and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are qualified.

Notwithstanding any other provision of law, in fiscal year 2003 and thereafter, sums provided to the National Park Service by private power permits shall be credited to the appropriate account and remain available until expended: Provided, That heretofore and hereafter, in carrying out the appropriate research, planning, and other activities specified in the Act of February 7, 1907, and the provisions of the Surface Mining Control and Reclamation Act of 1977, the Secretary of the Interior may, without regard to 31 U.S.C. 151 or any other provision of law, waive the necessity of obtaining records obligations against accounts receivable from such entities, and shall credit amounts received from such entities to the appropriate account, such credit to occur within 90 days of the date of the original request by the National Park Service for payment.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, biology, and the mineral and water resources of the United States territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1940; classify lands as to mineral and water resources; give engineering supervision to power permittees; and of which no more than $2,500,000 shall be available for information pended for conducting inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 9961) (1) for purposes as authorized by law and to publish and disseminate data; $721,000, of which $64,974,000 shall be available only for co-operation with States or municipalities for water resources investigations; and of which $12,000,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $8,000,000 shall remain available until expended for satellite operations; and of which $22,622,000 may be appropriated until September 30, 2004, for the operation and maintenance of facilities and deferred maintenance; and of which $72,000,000 shall be available until September 30, 2004, for the biological research activity and the operation of the Cooperative Research Units; and of which $4,900,000 shall remain available until expended for interagency research, planning, monitoring, and assessment, for alluvial and floodplain restoration: Provided, That none of these funds provided for the biological research activity shall be used to conduct surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISION

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of maps, and other special services, including making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and offices of the United States National Committee on Geology; and payment of compensation and expenses of the tolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.

MINERALS MANAGEMENT SERVICE

OIL SPILL DISPOSAL, EXPLORATION AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, $164,322, of which $10,000 shall be available for royalty management activities; and an amount not to exceed $100,230,000, to be credited to this appropriation and to remain available, main available until expended; from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases corresponding to the Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1990, for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent $100,230,000 in additional revenue received from the sources of receipts stated above, the amount needed to reach $100,230,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2001: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with section 599(d) and (d): Provided further, That not to exceed $3,000,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service (MMS) concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes for nonrecoverable, erroneous payments: Provided further, That MMS may under the royalty-in-kind pilot program, or under its authority to transfer oil to the Strategic Petroleum Reserve, use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, to process or otherwise dispose of royalty production taken in kind, and to recover MMS material processing, other administrative costs directly related to filling the Strategic Petroleum Reserve: Provided further, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or exceeding revenues to the United States National Committee on Geology, and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements as defined in 31 U.S.C. 6302 et seq.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,185,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended: Provided, That the Secretary of the Interior, pursuant to regulations established by the Secretary of the Interior, may use directly or through grants to States, moneys collected in fiscal year 2003 for civil penalties assessed under section 516 of the Surface Mining Control and Enforcement Act of 1977, or any unobligated funds appropriated for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $191,745,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $10,000,000, to be derived from the Federal Expenses Share of the Appalachian Clean Streams Initiative: Provided, That grants to minimum program States will be $1,500,000 per State in fiscal year 2003: Provided further, That of the funds herein provided up to $10,000,000 shall be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $1,500,000: Provided further, That any unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: Provided further, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 25 percent from proceeds of the delinquent debt owed to the United States Government for payment to contractors for contracts to collect these debts: Provided further, That these funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental remediation related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes of the Surface Mining Control and Reclamation Act: Provided further, That the State of Maryland may set aside the greater of the $1,000,000 or 10 percent of the amount available under title IV of the Surface Mining Control and Reclamation Act of 1977, as
amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which the interest earned on the amount is expended by the State to undertake acid mine drainage abatement and treatment projects, except that the amount of the interest earned on the amount set aside shall not exceed the interest earned on the amount is expended by the State to undertake acid mine drainage abatement and treatment projects, except that the amount of the interest earned on the amount is expended by the State to undertake acid mine drainage abatement and treatment projects, except that the amount of the interest earned on the amount is expended by the State to undertake acid mine drainage abatement and treatment projects, except that the amount of the interest earned on the amount is expended by the State to undertake acid mine drainage abatement and treatment projects, except that the amount of the 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For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, and grants, $151,027,000, to remain available until expended: Provided, That funds for trust management improvements may be transferred, as deemed necessary by the Secretary, to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.), and Public Law 113–35 (18 U.S.C. 1861 et seq.), $5,538,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for the Department and maintained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, excess aircraft being sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: Provided further, That notwithstanding any other provision of law, the Office of Aircraft Services shall transfer to the Sheriff’s Office, Kane County, Utah, without restriction, a Cessna U206G, identified as N2066916, for the purpose of facilitating more efficient law enforcement activities at Glen Canyon National Recreation Area and the Grand Staircase-Escalante National Monument: Provided further, That no programs funded with appropriated funds in the “Departmental Management” and “Office of the Solicitor” categories of the “General” may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

S. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the orderly closure of the United States Agency in the Republic of Palau and the Republic of the Marshall Islands, and for necessary expenses for management improvements, which may be transferred to the Bureau of Indian Affairs.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, and grants, $151,027,000, to remain available until expended: Provided, That funds for trust management improvements may be transferred, as deemed necessary by the Secretary, to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.), and Public Law 113–35 (18 U.S.C. 1861 et seq.), $5,538,000, to remain available until expended.
wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof.

Provided further, That for wildland fire operations, reimbursement to be made to the Department of the Interior for amounts transferred to it under this authority until the Secretary determines that funds appropriated for wildland fire operations shall be exhausted or that the amounts transferred are no longer needed.

Sec. 109. In this title, ''Indian tribe'' means a tribe, Indian organizations, or groups of Indians so designated by the Secretary of the Interior to conduct oil and natural gas preleasing, leasing, and related activities in the Mid-Atlantic and South Atlantic planning areas.

Sec. 110. (a) The Secretary of the Interior shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery in Kansas City, Kansas, as described in section 123 of Public Law 106–291 are used only in accordance with such action.

(b) The lands of the Huron Cemetery shall be used only:

(1) for religious and cultural uses that are compatible with the use of the cemetery as a burial ground; and

(2) for the benefit of the National Wildlife Refuge System in the State of Minnesota; and

(3) for the benefit of the National Wildlife Refuge System located within the State of Minnesota.

Sec. 117. No funds provided in this title shall be used for operation of warehouses, garages, shops, and similar facilities, except to the extent such consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as appropriated by sections 1503 and 1506 of title 31, United States Code: Provided, That reimbursements for costs and supplies, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

Sec. 118. Appropriations made to the Department of the Interior in this title shall be available for operation of warehouse, garages, shops, and similar facilities in the areas of northern, central, and southern California: Provided, That reimbursements for costs and supplies, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

Sec. 119. No funds provided in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary of the Interior to conduct oil and natural gas preleasing, leasing, and related activities in the areas of northeastern, northwestern, and southern California: Provided, That reimbursements for costs and supplies, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

Sec. 120. Tribal School Construction Demonstration Program.

(a) Definitions.—In this section:

(1) CONSTRUCTION.—The term "construction", with respect to a tribally controlled school, includes the construction or renovation of a school.

(2) INDIAN TRIBE.—The term "Indian tribe" has the meaning given that term in section 3 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) IN GENERAL.—The Secretary shall carry out a demonstration program for fiscal years 2003 through 2007 to provide grants to Indian tribes for the construction of tribally controlled schools.

(c) ELIGIBILITY.—For fiscal years 2003 through 2007, a tribe that submits an application under subsection (b) shall be eligible to receive a grant under this section if—

(1) the tribe submits the application before the expiration of the period of time specified in subsection (b); and

(2) the tribe has made a commitment to the Secretary to use the grant funds to construct, renovate, or purchase a school for which a grant is made under this section.

(d) GRANT RECIPIENT.—A grant made under this section shall be made to the tribe that submitted the application for the construction of the school described in the application.

Sec. 121. The Secretary of the Interior shall carry out a demonstration program for fiscal years 2003 through 2007 to provide grants to Indian tribes for the construction of tribally controlled schools.

(a) GRANT APPLICATIONS.—An application for a grant under this section shall—

(1) include a proposal for the construction of a tribally controlled school of the Indian tribe that submits the application;

(2) indicate how the construction or renovation of a school will benefit the tribe; and

(b) the Secretary shall carry out the demonstration program under subsection (a) subject to the appropriations made to the Secretary by law for such fiscal year.
GRANT AGREEMENT.—As a condition to receiving a grant under this section, the Indian tribe shall enter into an agreement with the Secretary that specifies—

(A) the costs of construction under the grant;

(B) that the Indian tribe shall be required to contribute towards the cost of the construction of a tribal school share equal to 50 percent of the costs; and

(C) any other term or condition that the Secretary determines to be appropriate.

4. ELIMINATION.—Grants awarded under the demonstration program shall be used only for construction or replacement of a tribally controlled school.

5. FOREVER GRANT.—A grant received under this section shall be in addition to any other funds received by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe under the Tribally Controlled School Construction Act of 1988 (25 U.S.C. 2801 et seq.), or the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 127. Notwithstanding section 1(d) of Public Law 107–62, the National Park Service is authorized to obligate $1,000,000 made available in fiscal year 2002 to plan the John Adams Parkway and trail to be used in cooperation with non-Federal partners.

SEC. 128. Notwithstanding any other provision of law, and funds remaining available in the Construction (Trust Fund) account of the National Park Service at the completion of all authorized projects, shall be used only for the improvement of the roadway of the park controlling Going-to-the-Sun Road in Glacier National Park.

SEC. 129. Using funds appropriated by section 301 of the Supplemental Appropriations Act, 1999 (Public Law 106–31), the Secretary shall provide interim compensation payments of up to $50,000 each to the families of the 1892–1893 Chinook Indians who claimed against the US government for the taking of their lands.


(b) USE OF CERTAIN INDIAN LAND.—Nothing in this section permits the conduct of gaming activities by Indian tribes under the Regulatory Act (25 U.S.C. 2701 et seq.) on land described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 944), or land that is contiguous to that land, regardless of whether the land or contiguous land has been taken into trust by the Secretary.

SEC. 132. Section 3(c)(2)(B) of Public Law 99–548 (100 Stat. 3061; 113 Stat. 1501A–168) is amended by striking “(iv) Sec. 8, ” and inserting the following:

“(iv) Sec. 7.

(iv) Sec. 8.”

SEC. 133. The funds made available under the heading “United States Fish and Wildlife Service, Construction” in Public Law 107–83 for hangar roof replacement at Midway Atoll National Wildlife Refuge, not to exceed $650,000 may be transferred to “United States Fish and Wildlife Service, Resource Management” for operational needs at Midway Atoll National Wildlife Refuge.

SEC. 134. Public Law 107–331 is amended in Sections 301(b) and 301(d) by striking the word “Secretary” each place it appears and inserting “Director” each place it appears.

SEC. 135. Section 113 of Public Law 104–208 (31 U.S.C. 501 note.) is amended by deleting the following sentence in its entirety and inserting “Such fund may be used in advance.”

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

WILDLAND FIRE MANAGEMENT

For necessary expenses for the Forest Service for prescribed wildland fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands for fire protection, for hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,349,201,000, to remain available until expended: Provided, That the Secretary may authorize the expenditure or transfer of such sums as necessary to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands: Provided further, That the funds provided shall be available as authorized by law, $247,804,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, treatment of pests, pathogens, and invasive plants, cooperative forestry, and education and training, $117,672,000, to remain available until expended as authorized by law: Provided, That notwithstanding any other provision of law, of the funds provided under this heading, $2,000,000 shall be made available to Kake Tribal Corporation as an advanced distributed sum payment of the amount of the land transfer to the Kake Tribal Corporation Land Transfer Act (Public Law 106–283).

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,352,999,000, to remain available until expended: Provided, That notwithstanding any other provision of law, of the funds provided under this heading, $4,000,000 shall be allocated to the Alaska Region, in addition to its normal allocation for the purposes of preparing additional timber for sale, to establish a 3-year timber supply and such funds may be transferred to other appropriations accounts as necessary to maximize accomplishment.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands for hazardous fuels reduction, for fuels removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for special construction projects, $4,000,000 shall be allocated to the Kake Tribal Corporation as an advanced distributed sum payment of the amount of the land transfer to the Kake Tribal Corporation Land Transfer Act (Public Law 106–283).
restoration, hazard reduction activities in the urban-wildland interface, support to Fed-
eral emergency response, and wildfire sup-
pression activities of the Forest Service; Pro-
scribed amounts in the Land and Water Con-
servation Fund (Public Law 104–167), $233,109,000 is for hazardous fuel treatment,
$3,624,000 is for rehabilitation and resto-
ration, $21,427,000 is for research activities and to make Federal research grants re-
pertinent to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $46,355,000 is for state fire assistance to volunteer fire departments, and $11,934,000 is for forest health ac-
tivities on state, private, and Federal lands: Provided further, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available under the State and Private Forestry Appropriation, the Forest Service may conduct fuel reduction, on and adjacent to Federal lands using all contracting and hir-
ing authorities authorized in this section: Provided further, That in enforcing any cooperative agreements, the Secretary may consider the en-
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ties, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of non-Federal entities to enhance small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit enti-
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ties, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: Provided further, That in addition to funds provided for State Fire Assistance programs, and subject to all authors
Organic Act of 1914 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the procedures contained in House Report No. 105–163.

The Secretary of Agriculture may authorize the use of Federal funds held by the Foundation to enter into grants, contracts, and cooperative agreements as the Secretary of Agriculture may prescribe, any public such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts and grants in support of property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark. Provided, That the Secretary of Agriculture shall obtain, by the end of the period of Federal financial assistance, private contributions to match any one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may consider any gifts as the Secretary of Agriculture may authorize:

Provisions as the Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and the Department of Agriculture. Funds appropriated to the Forest Service for the planning and administration of projects, Project selection and prioritization shall be accomplished by the Forest Service in consultation with the State of Washington as the Forest Service deems appropriate.

Any appropriations or funds available to the Forest Service shall be available for natural resources and public or employee safety: Provided, That such amounts shall not exceed $1,000,000. The Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and located on the Green Mountain National Forest, the revenues of which shall be retained by the Forest Service and available to the Secretary without further appropriation and until expended for maintenance and rehabilitation activities on the Green Mountain National Forest. The Secretary of Agriculture may transfer or reimburse funds available to the Forest Service, not to exceed $15,000,000, to the Secretary of Commerce to expedite conferencing and consultations as required under section 7 of the Endangered Species Act, 16 U.S.C. 1538. The Maintain and plan for the sale, lease or transfer and the Forest Service shall be as mutually agreed by the Secretary of Agriculture and the Secretary of the Interior or the Secretary of the Department of Interior.
under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing contracts or agreements: Provided further, That any provision thereof entered into by the Secretary pursuant to this authority shall not be voided because of expiration of 30 calendar days (not including any day in which House of Congress is not in session) prior to the release of funds to the recipient. That the remaining moneys received by or for the account of the State of California on October 11, 1996, as moneys received by or for the account of the Elk Hills School Lands Fund.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $884,285,000, to remain available until expended: Provided, That of the amounts provided for energy conservation grants as defined in section 300B(3) of Public Law 99–599 (15 U.S.C. 4507): Provided further, That notwithstanding section 300B(2)(d) of Public Law 99–599, such sums shall be allocated to the eligible programs as follows: $225,000,000 for weatherization assistance grants and $45,000,000 for State energy conservation grants.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,487,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities prescribed by Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6221 et seq.), $70,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act of 1992, $6,000,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $80,111,000, to remain available until expended.

DEPARTMENT OF ENERGY

Provided, that appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

Provided further, that the funds made available to the Secretary of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

Appropriations under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing contracts or agreements: Provided further, That the amounts collected by the Secretary of Energy, and used only for plant construction, operation, costs, and payments to cost-sharing contracts or agreements: Provided further, That any provision thereof entered into by the Secretary pursuant to this authority shall not be voided because of expiration of 30 calendar days (not including any day in which House of Congress is not in session) prior to the release of funds to the recipient. That the remaining moneys received by or for the account of the State of California on October 11, 1996, as moneys received by or for the account of the Elk Hills School Lands Fund.

For necessary expenses in fulfilling installations and operations under the Settlement Agreement Act of 1975, as amended (42 U.S.C. 6201 et seq.), for petroleum and for other necessary expenses, $450,130,000 for contract medical care shall remain available until expended:

For necessary expenses for Strategic Petroleum Reserve facility development and operation.

For necessary expenses for energy conservation assistance grants and $45,000,000 for State energy conservation grants.

For necessary expenses pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $70,000,000, to remain available until expended.

Provided further, That any provision thereof entered into by the Secretary pursuant to this authority shall not be voided because of expiration of 30 calendar days (not including any day in which House of Congress is not in session) prior to the release of funds to the recipient. That the remaining moneys received by or for the account of the State of California on October 11, 1996, as moneys received by or for the account of the Elk Hills School Lands Fund.

For necessary expenses for Strategic Petroleum Reserve facility development and operation.

For necessary expenses for energy conservation assistance grants and $45,000,000 for State energy conservation grants.

For necessary expenses pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $70,000,000, to remain available until expended.

Provided further, That any provision thereof entered into by the Secretary pursuant to this authority shall not be voided because of expiration of 30 calendar days (not including any day in which House of Congress is not in session) prior to the release of funds to the recipient.

That of the amounts provided for energy conservation grants as defined in section 300B(3) of Public Law 99–599 (15 U.S.C. 4507): Provided further, That notwithstanding section 300B(2)(d) of Public Law 99–599, such sums shall be allocated to the eligible programs as follows: $225,000,000 for weatherization assistance grants and $45,000,000 for State energy conservation grants.
priority project for the acquisition of land, planning, design and construction of 79 staff quarters in the Bethel service area, pursuant to the negotiated project agreement between the YKHC and the Department of Defense. Provided further, That this project shall not be subject to the construction provisions of the Indian Self-Determination and Education Assistance Act, and shall be paid for from the Indian Health Service priority list upon completion: Provided further, That the Federal Government shall not be liable for any property damages or other construction claims that may arise from YKHC undertaking this project: Provided further, That the land shall be owned or leased by the YKHC, and shall be reacquired by the YKHC if such lease is not reacquired by the YKHC: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the U.S. Department of Housing and Urban Development: Provided further, That not to exceed $1,000,000 shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: Provided further, That notwithstanding the provisions of title II, section 306, of the Indian Health Care Improvement Act (Public Law 94–437, as amended), construction contracts authorized under title I of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 536), as reauthorized and reenacted under section 105 of the Indian Self-Determination and Education Assistance Act of 1980, as reenacted and modified by section 902 of the Indian Health Care Act of 1992, may be used rather than grants to fund small ambulatory facility construction projects: Provided further, That if a contract is used, the IHS is authorized to improve municipal, private, or tribal lands, and that at no time, during construction or after completion of the project, shall the Federal Government have any rights or title to any real or personal property acquired as a part of the contract: Provided further, That notwithstanding any other provision of law or regulation, for purposes of acquiring sites for a new clinic and staff quarters in St. Paul Island, Alaska, the Secretary of Health and Human Services may acquire and donate the Tanaagautix Corporation.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the availability for service positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are essential to the performance of official duties for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Indian Health Care Improvement Act (25 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation for administrative, capital and debt service, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administratively under Public Law 86–121 (the Indian Health Care Facilities Act) and Public Law 93–638, as amended.

Funds appropriated to the Indian Health Service for programs transferred for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 536), may be decertified and reallocated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter be used by the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the voluntary relocation plan published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule and an additional amount has been included in an appropriations Act and enacted into law.

Funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received thereafter shall be credited to appropriations pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding. Such amounts shall remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELocation

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by the Navajo-Hopi Relocation Act of 1978 (Public Law 95–577), $590,000,000, to remain available until expended.

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $14,491,000, to remain available until expended: Provided, That funds provided in this or any other appropriation Act to the Office of Navajo and Hopi Indian Relocation may be used rather than grants to fund small ambulatory facility construction projects: Provided further, That if a contract is used, the IHS is authorized to improve municipal, private, or tribal lands, and that at no time, during construction or after completion of the project, shall the Federal Government have any rights or title to any real or personal property acquired as a part of the contract: Provided further, That notwithstanding any other provision of law or regulation, for purposes of acquiring sites for a new clinic and staff quarters in St. Paul Island, Alaska, the Secretary of Health and Human Services may acquire and donate the Tanaagautix Corporation.

For necessary expenses of the Smithsonian Institution, as authorized by law, including for research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, research, documentation, and exchange of information and publications; conduct of education, traveling, and museum assistance programs; maintenance, operation, and repair of the Smithsonian Institution Building, and this appropriation herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rental of property to be occupied for long term or to rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used by the Smithsonian Institution to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building: Provided further, That if any prior year appropriations, $14,100,000 is rescinded.
REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of maintenance, repair, restoration, and alteration of facilities owned or occupied by the Smithsonian Institution, to be made necessary by any contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 622), as amended, of which not to exceed $16,750,000 is provided for maintenance, repair, rehabilitation and alteration of facilities at the National Zoological Park, and which not to exceed $150,000 is for services as authorized by 5 U.S.C. 3109: Provided, That contracts awarded for environmental systems, protection systems, and repair of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: Provided further, That notwithstanding any other provision of law, a single procurement contract for the repair and renovation of the Patent Office Building may be issued which includes the full scope of the project: Provided further, That the solicitation of the contract and the contract shall contain the clause "availability of funds" found at 48 C.F.R. § 15.18.

CONSTRUCTION

For necessary expenses for construction of the National Museum of the American Indian, including necessary personnel, $15,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without advance approval from the Board of Regents of recommendations received from the Science Commission.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage or for structural movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Rept. No. 113-193.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1902 (30 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), as well as expenses for services as authorized by 5 U.S.C. 3109: payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art activities whose publications or services or are available to members only, or to members at a price lower than to the general public, purchase, repair, and cleaning of accounts for guards, uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for security of buildings and grounds thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, for diversions at such rates or prices and under such terms and conditions as the Gallery may deem proper, not to exceed $3,026,000 for the services for the program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $16,230,000, to remain available until expended.

ADMINISTRATIVE FOUNDATION FOR THE PERFORMING ARTS

SALARIES AND EXPENSES

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $15,310,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing facilities of the building and site of the John F. Kennedy Center for the Performing Arts, $17,600,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1358), for hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $8,488,000.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

MATCHING GRANTS

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $116,489,000, shall be available to the National Endowment for the Arts for the arts education and related programs including projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, including $17,000,000 for support of arts education and public outreach activities through the Challenge America program, for program support, and for administering the functions of the Act, to remain available until expended: Provided, That funds previously appropriated to the National Endowment for the Arts “Matching Grants” account may be transferred to and merged with this account.

NATIONAL ENDOWMENT FOR HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Endowment for the Humanities Act of 1965, as amended, $109,632,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Endowment for the Arts and the Humanities Act of 1965, as amended, $16,122,000, to remain available until expended, of which $10,436,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligations of such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property conveyed or assigned to the chairman or any grantee under the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years to the extent that such equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISION

None of the funds appropriated to the National Endowment for the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For necessary expenses, as authorized by Public Law 99–190 (20 U.S.C. 906) as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $3,667,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses of the National Commission on the Arts, $5,000,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Commission (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, $7,253,000: Provided, That all appointed members of the Commission shall be compensated in accordance with the Act of August 1, 1975 (89 Stat. 565), as amended, to not exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by the Holocaust Memorial Museum Act of 1993 (106 Stat. 2629), $38,663,000, of which $1,900,000 for the museum’s repair and rehabilitation program and $1,364,000 for the museum’s exhibitions program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $21,327,000 shall be available to the Presidio Trust, to remain available until expended.

TITLE III—GENERAL PROVISIONS

SALARIES AND EXPENSES

For the expenses of any appropriation under this Act for any consulting service through procurement contract, pursuant
to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided by law, upon the request of the Comptroller General of the United States, or a mining organization, upon the request of the Secretary of the Interior, the United States Corporations Act of 1950, or the Secretary of the Department or agency shall be authorized to make contracts or agreements, or to enter into a responsible manner, upon the request of a responsible organization or individual to conduct a restoration project contracts as part of the ‘Jobs in the Woods’ Program established in Region 10 of the Forest Service to individuals and community-dependent areas in the States of Washington, Oregon, northern California, Idaho, Montana, and Alaska that have been affected by reduced timber harvesting on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designating procurement areas which create economic opportunities for local contractors.

SEC. 314. No part of any appropriation contained in this Act may be used to plan, prepare, or offer for sale timber, to be used to plan, prepare, or offer for sale timber, to trees classified as giant sequoia by the Forest Service, to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 316. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended by the National Foundation on the Arts and the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money, other property or services and to use such funds to any single State, excluding grants made under the authority of paragraph (1);

(c) REPORT.—On September 30, 2003, the Secretaries of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 316(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor to conduct the examination. The examination shall be conducted in accordance with the Bureau of Land Management’s procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 309. Notice regarding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service shall be used for GSA Telecommunications. Any funds available for fiscal years 1994 through 2002 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 305. No part of any appropriation contained in this Act may be obligated or expended by the National Endowment for the Arts or the National Endowment for the Humanities to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which is located on National Forest System land in a manner different than such sales were conducted in fiscal year 2002.

SEC. 307. None of the funds made available by this Act may be obligated or expended by the National Endowment for the Humanities to conduct, implement, or convey any conveyance or property or services and to use such funds to any State, excluding grants made under the authority of paragraph (1).

(c) REPORT.—On September 30, 2003, the Secretaries of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 316(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall authorize the applicant to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor to conduct the examination. The examination shall be conducted in accordance with the Bureau of Land Management’s procedures employed by the Bureau of Land Management in the retention of third-party contractors.
the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and ecological functions, including forest productivity, and biological integrity. The projects may be completed in a subsequent fiscal year. Funds shall not be expended to acquire or provide recreation which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

S. 319. No timber sale in Region 10 shall be advertised if the Secretary determines when advertising the sale, that assigning (A) the price and/or sale value to domestic or commercial recreation to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

S. 321. Revisions of Forest Plans. Prior to October 1, 2003, the Secretary of Agriculture shall not consider to be in violation of the Forest Management Plan, the Tongass Land Management Plan, or the Granger-Thye Act, as amended (16 U.S.C. 5801), title III of the Bankhead-Johnes Farm Tenant Act (7 U.S.C. 1919 et seq.), or, if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aa-50). The terms and conditions contained in the expired, transferred, or waived permit or lease that are in effect shall continue to apply until such time as the Secretary of Agriculture and the Secretary of the Interior or Secretary of Agriculture: Provided, That where National Forest System lands are involved, and the Secretary of Agriculture has determined that a permit or lease prior to fiscal year 2003 under the authority of Section 504 of the Rescissions Act of 1995 (Public Law 104-19), the terms and conditions of the renewed permit or lease shall remain in effect until such time as the Secretary of Agriculture completes processing of the renewed permit in compliance with all applicable laws and regulations or until the expiration of the renewed permit, whichever comes first. Upon completion of the processing, the permit may be canceled, suspended or modified in whole or in part, or, if applicable, the required terms and conditions of applicable laws and regulations.

Nothing in this section shall be deemed to alter the Secretary of Agriculture's authority to (A) the Secretary of Agriculture's determinations of applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary of Agriculture's authority to alter the Secretary of Agriculture's determinations of applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary of Agriculture's determinations of applicable laws and regulations.

S. 327. In awarding a Federal Contract with funds made available by this Act, the Secretary of Agriculture or the Secretary of the Interior (the "Secretaries") may, in evaluating bids and proposals, give consideration to local contractors who are from, and provide employment to, or assist in the retraining of, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent communities that have suffered significant reductions in timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities. Provided, That the contract is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, or fish habitat restoration. Provided further, That the Secretaries shall develop guidance to implement this section: Provided further, That nothing in this section shall be interpreted as relieving any employee of Federal responsibility under applicable procurement laws, except as provided in this section.
To carry out title V of the Older Americans Act of 1965, as amended, $140,200,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I; and for training, allowances for relocation, and related State administrative expenses under part II, subsections B and D, chapter 2, title II of the Trade Act of 1974, as amended, $972,600,000; of which amounts, as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current fiscal year ending September 30, 2003, and for other purposes.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $13,452,000, together with not to exceed $3,475,451,000 (including not to exceed $1,228,000 which may be used for amortization payments on the severance trust fund which had independent retirement plans in their State employment service agencies prior to 1980), which may be extended from the Employment Security Administration Account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502-504), the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 801-852, shall be available for obligations by the States through September 30, 2003, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2005; of which $1,228,000 shall be for the obligation for every 100,000 increase in the AWIU level (including a pro rata amount for States to which the Department of Labor has not extended under section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2003, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $211,632,000, including $4,711,000 to administer welfare-to-work grants, together with not to exceed $56,610,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, and for a computer database of the information filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ‘‘Federal unemployment benefits and allotments’’, to remain available until September 30, 2004, $463,000,000.
For the payment of compensation, benefits, and administrative expenses (including salaries and expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code, the Secretary of Labor is authorized to establish, and, in accordance with section 3302, collect and deposit in the Treasury fees for processing applications and issuing certifications. Provided further, That any person filing a notice of injury or a claim for benefits under the Black Lung Disability Trust Fund, to remain available until expended, for payment of compensation, benefits, and expenses: Provided further, That any sums appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the reemployment, disability, and medical benefits provided to the reemployed beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2002, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its service, or the remittance to the Secretary, such sums as the Secretary determines to be the cost of administration of such fair share entities for reasonable administrative expenses and $10,000,000 shall be transferred to the account of the Federal Employees’ Compensation Act shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employ 10 or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act with respect to health hazards; (5) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act; Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employ 10 or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and (6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act.

For necessary expenses for the Occupational Safety and Health Administration, $462,314,000, including not to exceed $2,000,000 for the Occupational Safety and Health Administration to conduct inspections and make follow-up inspections at the request of the Secretary, or at the request of labor or management, and to take any action authorized by such Act; Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized to accept and retain up to $1,000,000 from fees collected for services provided to employees for exercising rights under such Act.

For the payment of compensation, benefits, and administrative expenses, including salaries and expenses, $77,567,000, shall be made available for the Mine Safety and Health Administration to provide occupational and health education and training services, and to conduct research and information programs that ensure the safe and healthful working conditions of employees who are included within a category of employees defined by the Secretary in accordance with section 8147 of title 5, United States Code, or 33 U.S. C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, $104,967,000, to remain available until expended: Provided, That the Secretary of Labor is authorized to transfer to any Executive agency with authority under the Energy Employees Occupational Illness Compensation Act, any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which with respect to any employer of 10 or fewer employees who is included within the Department of Labor, such sums as may be necessary in fiscal year 2003 to carry out those authorities: Provided further, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as such regulations may prescribe.

For necessary expenses to administer the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 2011 et seq.), $334,000,000, to remain available until expended, for payment of compensation, benefits, and expenses: Provided, That $334,000,000 shall be transferred to the Black Lung Disability Trust Fund to provide for the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1984, and is interest earned on such sums as may be prescribed.

For necessary expenses for the Occupational Safety and Health Administration, $5,756,000, shall be made available for the Mine Safety and Health Administration to provide occupational and health education and training services, and to conduct research and information programs that ensure the safe and healthful working conditions of employees who are included within a category of employees defined by the Secretary in accordance with section 8147 of title 5, United States Code, or 33 U.S. C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

For the payment of compensation, benefits, and administrative expenses (including salaries and expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code, continuation of benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947, the Employees’ Compensation Commission Act, 1944; section 2(a) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers’ Compensation Act, as amended, $183,000,000, together with such amounts as may be necessary to be charged to the subsequent fiscal year, for the payment of compensation and other benefits for any period subsequently to August 15 of the current year: Provided, That any amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the reemployment, disability, and medical benefits provided to the reemployed beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2002, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its service, or the remittance to the Secretary, such sums as the Secretary determines to be the cost of administration of such fair share entities for reasonable administrative expenses and $10,000,000 shall be transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees’ Compensation Act shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employ 10 or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and (6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act.

For necessary expenses for the Mine Safety and Health Administration, $5,756,000, shall be made available for the Mine Safety and Health Administration, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including purchase and bestowal of certificates and trophies in connection with mine rescue and recovery activities; and including $10,000,000 for digitizing mine maps and developing technologies to detect mine voids, through contracts, grants, or other arrangements, to remain available until expended; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training, and in addition, standing any other provision of law, not less than $3,200,000 shall be used to extend funding for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of September 30, 2003 to September 30, 2004, provided that a grantee has demonstrated satisfactory performance.

For necessary expenses for the Mine Safety and Health Administration, $5,756,000, shall be made available for the Mine Safety and Health Administration, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including purchase and bestowal of certificates and trophies in connection with mine rescue and recovery activities; and including $10,000,000 for digitizing mine maps and developing technologies to detect mine voids, through contracts, grants, or other arrangements, to remain available until expended; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training, and in addition, standing any other provision of law, not less than $3,200,000 shall be used to extend funding for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of September 30, 2003 to September 30, 2004, provided that a grantee has demonstrated satisfactory performance.

For necessary expenses for the Occupational Safety and Health Administration, $623,511,000, including not to exceed $2,000,000 for the Occupational Safety and Health Administration to conduct inspections and make follow-up inspections at the request of the Secretary, or at the request of labor or management, and to take any action authorized by such Act; Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized to accept and retain up to $1,000,000 from fees collected for services provided to employees for exercising rights under such Act.
community through cooperative programs with States, industry, and safety associations; and any funds available to the department may be used, with the approval of the Secretary of Labor, for loss prevention or rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS
SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advancement of expenditures for reimbursements to State, Federal, and local agencies and their employees for services rendered, $415,855,000, together with not to exceed $5,000,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund; and $2,570,000 which shall be available for obligation for the period July 1, 2003 through September 30, 2003, for Occupational Employment Statistics.

OFFICE OF DISABILITY EMPLOYMENT POLICY
SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $47,015,000.

DEPARTMENTAL MANAGEMENT
SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three se- danaries, including advancement of operations, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, of which the funds designated to carry out bilateral assistance activities pursuant to a labor initiative shall be available for obligation through September 30, 2004, and not less than $3,000,000 shall be for an Office of Pension Participant Advocacy, and $55,000,000, for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs which are available only to the Department’s Chief Information Officer in accordance with the Department’s capital investment management process to assure a sound investment portfolio, which shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

TRANSFER OF FUNDS

Sec. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated to, or otherwise made available to, the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

Sec. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to paragraphs (a) or (b) of section 503 of the Department of Labor Appropriations Act, 2003 shall be used to pay the compensation of an individual employed by the Department of Labor prior to enactment of this Act.

Sec. 104. There is authorized to be appropriated such sums as may be necessary to the Denali Commission through the Department of Labor to conduct job training of the local workforce. No such Commission projects will be constructed.

This title may be cited as the “Department of Labor Appropriations Act, 2003”.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES
ADMINISTRATION
SALARIES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XIX, XXVII of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V (including section 510), and sections 1128D and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest, Stroke, and Other Centers Control Center Enhancement and Awareness Act, $6,115,654,000, of which $45,000,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under sections 1886(h) and 1887 of such Act. Provided, That the funds made available under this heading, $250,000 shall be available until expended for facilities renovations at the Gills W. Long Hospital, the Disease Control Prevention Act, and that in addition fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for all disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended Provided, That feefs collected for the full disclosure of information under the “Health Care Fraud and Abuse Data Collection Program”, authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended Provided, That not more than $5,000,000 is available for carrying out the provisions of Public Law 104–73: Provided further, That in the amounts available as provided herein, $285,000,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning programs: Provided further, That the funds provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative or judicial proposal or candidate for public office: Provided further, That $739,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616(c)(2) of the Public Health Service Act: Provided further, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Parts A, B, C, and D of Title XXVI of the Public Health Service Act to fund section 2691 Special Projects of National Signifi- cance: Provided further, That $40,000,000 is available for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, which shall not be counted toward compliance with the allo- cation required in section 502(a)(1) of such Act, and which shall be used only for making competitive grants for substance abuse prevention (as defined in section 510(b)(2) of such Act) to adolescents and for evaluations (including longitudinal evaluations) of activities under the grants and for Federal costs of administering the grants: Provided further, That grants under the immediately preceding proviso shall be made only to public or private entities that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to the adolescent any of the following: sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adult student shall not be prohibited from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided. Provided further, That funds expended for such evaluations may not exceed 3.5 percent of such amount.

HEALTH EDUCATION ASSISTANCE LOANS
PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as author- ized by title VII of the Public Health Service
Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,914,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended. Provided, That for necessary administrative expenses, not to exceed $2,991,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Naturalization Act, section 241 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries, maintenance of aircraft, $4,302,749,000, of which $270,000,000 shall remain available until expended for equipment, and construction and renovation of facilities, and of which $168,763,000 for international HIV/AIDS shall remain available until September 30, 2004, and in addition, such sums as may be derived from funds credited under section 241 of the Public Health Service Act to carry out the National Immunization Surveys: Provided, That in addition to amounts provided herein, $14,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out information systems standards development and architecture and applications-based research used systems standards development and architecture, and in addition, such sums as may be derived from amounts available under section 241 of the Public Health Service Act to carry out the National Immunization Surveys: Provided further, That in addition to amounts provided herein, $29,600,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out information systems standards development and architecture and applications-based research used systems standards development and architecture, and in addition, such sums as may be derived from amounts available under section 241 of the Public Health Service Act to carry out the National Immunization Surveys: Provided further, That in addition to amounts provided herein, $41,900,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out information systems standards development and architecture and applications-based research used systems standards development and architecture, and in addition, such sums as may be derived from amounts available under section 241 of the Public Health Service Act to carry out the National Immunization Surveys: Provided further, That in addition to amounts provided herein, $2,991,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

NATIONAL INSTITUTE OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $4,642,394,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood products, $20,990,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disorders.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,657,347,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,466,005,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(Including transfer of funds)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $3,727,473,000. Provided, That $2,000,000 may be made available to International Assistance Programs, “Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis”, to remain available until expended for such purposes only: Provided further, That up to $150,000,000 shall be for extramural facilities construction grants to enhance the Nation’s capability to do research on biological and infectious diseases: Provided further, That $125,000,000 shall be for extramural facilities construction grants.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to medical sciences, $1,853,384,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $1,213,817,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $634,290,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to environmental health sciences, $617,258,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,000,090,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $489,324,000.

NATIONAL INSTITUTE ON DRUG ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $118,773,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,393,927,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $686,037,000.

NATIONAL INSTITUTE ON DIABETES, DENTAL AND BIOENGINEERING

AND DENTAL RESEARCH, $371,347,000.

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disorders.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(Including transfer of funds)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $3,727,473,000. Provided, That $2,000,000 may be made available to International Assistance Programs, “Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis”, to remain available until expended for such purposes only: Provided further, That up to $150,000,000 shall be for extramural facilities construction grants to enhance the Nation’s capability to do research on biological and infectious diseases: Provided further, That $125,000,000 shall be for extramural facilities construction grants.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $1,161,272,000: Provided, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants: Provided further, That $125,000,000 shall be for extramural facilities construction grants.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, $134,149,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, $186,929,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $69,680,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $302,099,000, of which $4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 2003, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out National Information Center on Agriculture Services Research and Health Care Technology and related health services.

CONGRESSIONAL RECORD — SENATE

January 15, 2003
OFFICE OF THE DIRECTOR
(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $257,974,000: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the Director may so designate:

Heath care personnel and activities supporting the annual National Health Service Act.

year in which they are deposited:

available for 1 fiscal year after the fiscal year in which they are deposited:

shall be credited to the National Institutes of Health appropriations to activities the Director may so designate:

That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2003 from Medicare+Choice organizations pursuant to section 911(a) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(B) of that Act.

HEALTH MAINTENANCE ORGANIZATION LOAN AND GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1386 of the Public Health Service Act, an amount received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act shall be available without fiscal year limitation for the payment of obligations. During fiscal year 2003, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of May 7, 1960 (24 U.S.C. ch. 9), $2,475,800,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2004, $51,961,386,000, to remain available until expended.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and Supplementary Medical Insurance Trust Funds, as provided under section 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Act, section 1877(c) of the Social Security Act, Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $81,462,700,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $2,559,664,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided by section 1877(e)(2) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended:

Administrative fees collected relative to Medicare overpayment recovery activities, which shall remain available until expended: Provided, That all amounts provided herein, except for amounts provided pursuant to section 1308 of the Public Health Service Act, shall be available for Federal Public Housing Administration recovery activities.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,700,000,000.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), $402,724,000: Provided, That pursuant to section 414 of the Immigration and Nationality Act for fiscal year 2003 shall be available for the costs of assisting refugees and other aliens through September 30, 2005: Provided further, That up to $10,000,000 is available to carry out the Trafficking Victims Protection Act of 2000.

For making payments under the Omnibus Budget Reconciliation Act of 1998 (Public Law 105-302), $10,000,000.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the program authorized by section 652(b) of the Omnibus Budget Reconciliation Act of 1981 through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $2,099,994,000 shall be to carry out the child care and development block grant program, including general funds for child care assistance for low-income families: Provided, That...
$19,120,000 shall be available for child care resources and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: Provided, That $25,000,000 shall be for the Community Block Grant Act, as amended, under section 670 of the Community Services Block Grant Act, as amended, to be available for activities authorized under section 360 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

Provided further, that $10,000,000 shall be for child care resources and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

Provided further, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

Provided further, that $10,000,000 shall be for child care resources and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

Provided further, that $10,000,000 shall be for child care resources and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.
of which $300,000,000 shall remain available until expended for the National Pharmaceutical Stockpile; Office of the Secretary, $152,240,000; Health Resources and Services Administration, $235,800,000; Substance Abuse and Mental Health Services Administration, $10,000,000; and the Agency for Healthcare Research and Quality, $5,000,000.

GENERAL PROVISIONS

SEC. 201. All funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in national activities to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children’s Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399(p) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 224 of the Public Health Service Act except for funds specifically provided for in this Act, or for other expenses and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 206. Notwithstanding section 241(a) of the Public Health Service Act, such portion of the Secretary shall determine, but not more than 12 percent, of any amounts appropriated for programs authorized under this Act and other Acts shall be made available to the agency (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

TRANSFER OF FUNDS

SEC. 207. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That an appropriation may be transferred between appropriations subject to approval by the House and Senate Committees on Appropriations: Provided further, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 208. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Congress is provided the transfer.

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, may be made available to the “Office of AIDS Research” account. The Director of the Office of AIDS Research shall transfer from such account the amounts herein authorized to the “Office of AIDS Research” account. The Director of the Office of AIDS Research shall transfer from such account the amounts herein authorized to the “Office of AIDS Research” account.

SEC. 210. None of the funds appropriated in this Act may be made available to any entity or for any purpose under the “Office of AIDS Research” account unless the award certifies that it will not provide, pay for, or provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate provisions for the allocation of the additional funds required by the Act to prevent, control, and provide services and information to minors on how to resist attempts to coerce minors into engaging in sexual activities: Provided further, That the Secretary shall not be required to accept an application for funds if the Secretary determines that such an application does not meet all of the requirements of this Act.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate provisions for the allocation of the additional funds required by the Act to prevent, control, and provide services and information to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 212. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 213. The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 580D (8 U.S.C. 1157 note) —


(2) in section 599E (8 U.S.C. 1255 note) —

(A) in the caption, by striking “of cash or commodities” and inserting “and payment”;

(B) in paragraph (1)—

(1) by striking “to each grantee” and inserting “of cash or commodities”;

(2) in subparagraph (E)—

(i) by adding after paragraph (2) the following new paragraphs:

2003…

(3) in section 1001(e) (8 U.S.C. 1160 note) —

(A) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively;

(B) by striking paragraph (3); and

SEC. 214. (a) Except as provided by subsection (e) none of the funds appropriated in this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300a–26) if such State certifies to the Secretary of the Department of Health and Human Services by May 1, 2003 that the State shall commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State’s substance abuse block grant allocation for each percentage point by which the State misses the retaliating adjustment established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State shall use the additional funds provided to it under title VI to be used to purchase any Federal commodity processing program, at the rates at which such commodities are valued for purposes of such program.

SEC. 215. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2003, the Secretary of Health and Human Services is authorized to—

(1) utilize the authorities contained in subsection (c) of the State Department Basic Authorities Act of 1956, as amended; and

(2) utilize the authorities contained in sections 220 and 292 and in any presently applicable contract or cooperative agreement to lease, alter or renovate facilities in foreign countries, to carry out programs supported by the appropriation provided in this Act, pursuant to section 307 of the Public Health Service Act.

In exercising the authority set forth in paragraphs (1) and (2), the Secretary of Health and Human Services shall consult with the State Department to assure that planned activities are within the legal strictures of the State Department Basic Authorities Act of 1956, as amended, and any presently applicable parts of title 22, United States Code.

SEC. 216. The Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals.

SEC. 217. (a) Section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a) is amended—

(1) in subsection (b)—

(A) by striking “of cash or commodities” and inserting “and payment”;

(B) in paragraph (1)—

(1) by striking “The Secretary of Agriculture shall allot and provide in the form of cash or commodities or a combination thereof (at the discretion of the State) to each State agency” and inserting “The Secretary of Agriculture shall allot and provide, in accordance with this section, to or on behalf of each State agency”;

(2) by striking “to each grantee” and inserting “to or on behalf of each grantee”;

(2) in subsection (d)—

(A) in the caption, to read as follows: “Opinion to obtain commodities from Secretary of Agriculture”;

(B) in paragraph (1), to read as follows: “submit the appropriation and under title VI shall be entitled to use all or any part of amounts allotted under subsection (b) to obtain from the Secretary of Agriculture commodities available under any Federal food commodity processing program, at the rates at which such commodities are valued for purposes of such program.”;

(3) by redesignating paragraphs (2) and (4) as paragraphs (4) and (5), respectively;

(D) by striking paragraph (3);

(E) by adding after paragraph (1) the following new paragraph:

“(2) The Secretary of Agriculture shall determine and report to the Secretary, by such
date as the Secretary may require, the amount (if any) of its allotment under section (b) which each State agency and title VI grantees has elected to receive in the form of commodities. Such amount shall bear an amount bearing the same ratio to the costs to the Secretary of Agriculture of providing such commodities under this subsection to recipients of grants and contracts by such State agency or title VI grantees under this subsection bears to the total value of commodities so received.

(3) The allotment under subsection (b) for each State agency and title VI grantees, the Secretary shall first reimburse the Secretary of Agriculture for costs of commodities which such State agency or title VI grantee under this subsection, and shall then pay the balance (if any) to such State agency or grantee.

(F) In paragraph (4), as redesignated, in the first sentence, to read as follows: “Each State agency shall promptly and equitably disburse amounts received under this subsection to recipients of grants and contracts.”;

(G) In paragraph (5), as redesignated, by striking “donation” and inserting “provision.”

SEC. 218. Notwithstanding section 409B(c) of the Public Health Service Act regarding a limitation on the number of such grants, funds appropriated in this Act may be expended by the Director of the National Institutes of Health to award Core Grants to encourage development of innovative multidisciplinary research and provide training concerning Parkinson's disease. Each center funded under such grants shall be designated as a Morris K. Udall Center for Research on Parkinson’s Disease.

This title may be cited as the “Department of Health and Human Services Appropriations Act, 2003.”

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (‘‘ESEA’’), and section 418A of the Higher Education Act of 1965, $13,178,400,000, of which $4,354,199,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004, of which $3,818,517,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004, and of which $1,765,000,000 shall become available on October 1, 2003, and shall remain available through September 30, 2004, for academic year 2003-2004: Provided, That such amount made available for subpart 3, part C, of title II of the ESEA, $3,000,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, understanding, and support of the Congress and the state legislatures: Provided further, That of the funds made available for subpart 2 of part A of title IV of the ESEA, $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide educational services to local educational agencies in which the learning environment has been disrupted due to a violent or traumatizing event: Provided further, That no funds appropriated under this heading may be used to carry out section 5494 under the Elementary and Secondary Education Act: Provided further, That $5,600,000 shall be available to carry out part D of title V of the ESEA.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, $122,968,000.

ENGLISH LANGUAGE ACQUISITION

For carrying out title III, part A of the ESEA, $690,000,000, of which $494,000,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, $9,691,424,000, of which $3,335,233,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004, of which $3,872,301,000 shall become available on October 1, 2003, and shall remain available through September 30, 2004, for academic year 2003-2004: Provided, That $7,172,971,000 shall be available for basic grants under section 112A: Provided further, That up to $3,500,000,000 shall be available to the Secretary of Education on or before October 1, 2002, to obtain updated educational-agency-level census poverty data from the Bureau of the Census: Provided further, That $1,365,031,000 shall be available for concentration grants under section 112A: Provided further, That $1,405,999,000 shall be available for targeted grants under section 112A: Provided further, That $1,405,999,000 shall be available for education finance incentive grants under section 112A: Provided further, That $2,500,000,000 shall be for payments for children with disabilities under section 112(b), of which $47,000,000 shall be for construction under section 8007 and shall remain available through September 30, 2004, $57,000,000 shall be for Federal property payments under section 8007, $8,000,000 shall be for construction under section 8007 and shall remain available until expended, shall be for facilities maintenance under section 8008.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV, V, VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965, $7,788,329,000, of which $500,000,000 shall become available on October 1, 2002, and shall remain available through September 30, 2004, of which $3,818,517,000 shall become available on July 1, 2003, and remain available until expended, of which $1,765,000,000 shall become available on October 1, 2003, and shall remain available through September 30, 2004, for academic year 2003-2004: Provided, That such amount made available for subpart 3, part C, of title II of the ESEA, $3,000,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, understanding, and support of the Congress and the state legislatures: Provided further, That of the funds made available for subpart 2 of part A of title IV of the ESEA, $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide educational services to local educational agencies in which the learning environment has been disrupted due to a violent or traumatizing event: Provided further, That no funds appropriated under this heading may be used to carry out section 5494 under the Elementary and Secondary Education Act: Provided further, That $5,600,000 shall be available to carry out part D of title V of the ESEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,175,500,000, of which $1,100,000,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, as amended, the Assistive Technology Act of 1998, and the Rehabilitation Act of 1973, as amended (20 U.S.C. 101 et seq.), $96,438,000: Provided, That the amounts made available for the National Technical Institute for the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $54,600,000, of which $1,600,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $15,500,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $54,600,000, of which $1,600,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, and the Adult Education and Family Literacy Act, and title VIII-D of the Higher Education Act of 1965, as amended, and Public Law 102-73, $1,938,060,000, of which $1,140,060,000 shall become available on July 1, 2003 and shall remain available through September 30, 2004, and of which $791,000,000 shall be available until expended: Provided, That the amount made available for the Adult Education and Family Literacy Act, $7,000,000 shall be for tribally controlled postsecondary vocational and technical institutions under section 117: Provided further, That notwithstanding any other provision of law or any regulation, the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to section 117: Provided further, that the Carl D. Perkin's Vocational and Applied Technology Education Act, $10,000,000 shall be for carrying out section 117(b) of the AT Act: Provided further, That of the amounts made available for the Carl D. Perkins Vocational and Applied Technology Education Act, $5,000,000 shall be for demonstration activities authorized by section 117(b) of the AT Act: Provided further, That the amount of the AT Act provided for Adult Education State Grants, $70,000,000 shall be made available for intergovernmental services to immigrants and other limited English proficient populations: Provided further, That of the amount reserved for integrated English Language and literacy education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 65 percent shall be allocated to States based on a formula determined by the Secretary by calculating each State's share of a 10-year average of the Immigration and Naturalization
Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the 10 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except that not less than $60,000: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, $5,500,000 shall be for awards to 51 leadership activities under section 243 and $6,560,000 shall be for the National Institute for Literacy under section 242: Provided further, That $25,000,000 shall be for grants under section 430 of the Higher Education Act of 1965 that $5,000,000 shall be used in accordance with section 601 of Public Law 102-73 as that section was in effect prior to the enactment of Public Law 101-220.

STUDENT FINANCIAL ASSISTANCE
For carrying out subparts 1, 3 and 4 of part A, section 429K, part C and part E of title IV of the Higher Education Act of 1965, as amended, $13,151,580,000, which shall remain available through September 30, 2004.

The maximum Pell Grant for which a student shall be eligible during award year 2003-2004 shall be $4,100.

HIGHER EDUCATION
For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 (‘‘HEA’’), as amended, title VIII of the Higher Education Amendments of 1998, and the Mutual Educational and Cultural Exchange Act of 1961, $2,047,640,000, of which $3,000,000 for interest subsidies authorized by section 121 of the HEA, shall remain available until expended: Provided, That $10,000,000, to remain available through September 30, 2004, shall be available to fund fellowships for academic year 2004-2005 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: Provided further, That $1,000,000 is for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961, shall be available to support visits and study in foreign countries by individuals who are participating in advanced foreign language training, foreign studies programs, and international programs that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961, shall be available to support visits and study in foreign countries by individuals who are participating in advanced foreign language training, foreign studies programs, and international programs that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That up to one percent of the funds referred to in the preceding proviso may be used for program evaluation, outreach, and information dissemination activities.

HOWARD UNIVERSITY
For partial support of Howard University (20 U.S.C. 121 et seq.), $239,974,000, of which not less than $35,000,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98-480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM
For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, $782,000 to carry out activities for the refinancing of commitments entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT
The aggregate principal amount of outstanding bonds insured pursuant to section 344 of the Higher Education Act of 1965 shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such insured bonds shall be zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to section 502 of the Higher Education Act of 1965, as amended, $208,000.

INSTITUTE OF EDUCATION SCIENCE
For carrying out activities authorized under Public Law 105-220, $397,387,000: Provided, That of the amount appropriated, $89,500,000 shall be available for obligation through September 30, 2004.

DEPARTMENTAL MANAGEMENT PROGRAM ADMINISTRATION
For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and of other Federal property, $412,093,000, of which $12,795,000, to remain available until expended, shall be for Federal administrative expenses (in addition to funds made available under section 438), to carry out part D of title I, and parts B, C, and D of title IV of the Higher Education Act of 1965, as amended, $105,388,000.

GENERAL PROVISIONS
SEC. 301. No funds appropriated in this Act may be used for the transportation of students or the purchase of equipment for such transportation in order to overcome racial imbalance in any school or school system, or for the transportation of students or the purchase of equipment for such transportation in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student’s home, except for a student requiring special education, to the school offering such special education, in cases where such is provided under section 612 of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students as a part of a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade reorganization and clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in any public school facility.

TRANSFER OF FUNDS
SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer:

Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance thereof.

SEC. 305. Section 1202 of the Elementary and Secondary Education Act of 1965 is amended by inserting the following subsection at the end thereof:

‘‘(g) SUPPLEMENT, NOT SUPPLANT.—State or local educational agency shall use funds received under this subpart only to supplement and not to supplant funds available in the absence of funds under this subpart, would be expended for activities authorized under this subpart, and not to supplant those non-Federal funds.’’

SEC. 306. Notwithstanding section 1124(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)(2)), for each fiscal year, if the local educational agency serving New York City receives an allocation under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333) in an amount that is greater than the amount received by the agency under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) for fiscal year 2002, then—

(1) the agency shall distribute any funds received under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) in excess of the amount of the fiscal year 2002 allocation consistent with section 1133(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)); and

(2) each county in New York City shall receive an amount from the agency that is not less than the amount the county received in fiscal year 2002.

SEC. 307. Section 7304 of the No Child Left Behind Act of 2001, Public Law 107-110 is amended—

(a) by striking ‘‘(a)(2)(P) Dropout prevention programs such as’’ and inserting ‘‘(a)(2)(P) Dropout prevention programs operated by’’; and

(b) by striking ‘‘(a)(2)(S) Provision of operational support and purchasing equipment,’’ and inserting ‘‘(a)(2)(S) Provision of operational support and purchasing equipment funding, and purchasing of equipment,’’.

SEC. 308. Section 7205 of the No Child Left Behind Act of 2001, Public Law 107-110 is amended by adding, following new subsection after subsection (L):

‘‘(M) construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves predominantly Native Hawaiian student body.’’

This title may be cited as the ‘‘Department of Education Appropriations Act, 2003.’’

TITLE IV—RELATED AGENCIES
Sec. 309. For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Hun, $67,340,000, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $67,340,000, of which $5,712,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Hun: Provided, That notwithstanding any provision of law, a single contract or related contracts for development and construction,
to include construction of a facility at the United States Naval Home, may be employed which collectively include the full scope of the project: Provided further, That the solicitation and award contract shall contain the clause ‘availability of funds’ found at 48 CFR 52.232-18 and 292.232-7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $351,063,000: Provided, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by part E of title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed the restrictions outlined in Part B of title II of such Act.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available: For appropriations specified in section 202 of that Act, for the fiscal year 2005, $395,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for political parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available for, or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That for fiscal year 2003, in addition to the amounts provided above, $46,744,000, for costs related to digital program production, development, and distribution, associated with the transition of public broadcasting to digital broadcasting, to be awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Mediation Cooperation Act of 1976 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 96-454 (5 U.S.C. ch. 71), $49,713,000, to remain available through September 30, 2004, for activities authorized by the Labor-Mediation Cooperation Act of 1976 (29 U.S.C. 175a): Provided, That notwithstanding section 313 of the Civil Service Reform Act of 1978, 5 U.S.C. 3132, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and available only for such purposes as is deemed necessary by the Board: Provided further, That the fee for arbitration services shall be available only for education, training, and professional development, and new arbitration panelists and arbitrators: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $1,177,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

For carrying out the programs of the Museum and Library Services Act, $230,000,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $8,250,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-945, as amended), $1,000,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $2,830,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act of 1947 (29 U.S.C. 141-167), and other laws, $238,223,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2 (a) of the Act of June 5, 1938 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3 (b)(1) of the Act of June 25, 1938 (29 U.S.C. 144), for the purpose of having engaged in the recognition, certification, or representation of employees in connection with representation elections, to include construction of a facility at the Office; or used to pay any salary, benefit, or other compensation; or to pay any other operating expense of the Office; or to carry out any function of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office: Provided further, That none of the funds made available in any other paragraph of this Act may be transferred to the Office: used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications services, or administrative services for the Office; used to pay any salary, benefit, or other compensation; for the purpose of carrying out any function of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office; or used to operate another office; or used to reimburse the Office for any service provided, or expense incurred, by the Office: Provided, That funds made available under the heading in this Act to the Office, or to other offices in the Federal Government, shall be available only for payment of charges, in excess of actual costs, for services provided by the Office; or to operate another office; or to pay any salary, benefit, or other compensation; or to reimburse the Office for any service provided, or expense incurred, by the Office; or to reimburse any other office for any service provided, or expense incurred, by the Office; or for any other purpose.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Mediation Board to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 801 et seq.), $1,350,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $9,577,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 215(d) of the Railroad Retirement Act of 1974, $323,000,000, which shall include amounts be-
Act of 1977 for the first quarter of fiscal year 2004, $97,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–633, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security Administration for administrative fees incurred pursuant to section 201(g)(1) of the Social Security Act, $23,914,392,000, to remain available until expended: Provided, That any portion of such account provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making a $21,000,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $111,000,000 for official representation expenses, not more than $7,825,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, as amended, and all of the terms and conditions referred to therein: Provided, That not less than $1,800,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2003 not needed for fiscal year 2003 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That reimbursement to the trust funds under the heading for needed expenses of employees of the Social Security Administration pursuant to section 713 of title 5, United States Code, and for facilities or support of organizations pursuant to policies, regulations, or procedures referred to in section 713(b) of such title shall be made by the Secretary of the Treasury, with such amounts in the Federal fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, $111,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2004 exceed $111,000,000, the amounts shall be available in fiscal year 2004 only to the extent provided in advance in appropriations Acts.

Funds previously appropriated for this purpose, any unobligated balances at the end of fiscal year 2002 shall be available to continue Federal-State partnerships which may consist of any individual or group that offers the choice of a buy-in program targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $21,000,000, together with not to exceed $62,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Mediation and Conciliation Service Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total balance on hand in the appropriations account for the "Limitation on Administrative Expenses", Social Security Administration, to be transferred and made available for the time and for purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and Senate:

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $15,200,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act may be transferred and made available for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, and dissemination of pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any case where a contract or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized not to exceed $5,000 for necessary expenses of the Inspector General in carrying out the provisions of the Inspector General Act of 1977 for the first quarter of fiscal year 2003, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage and dollar amount of the total costs or project or program which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of costs of the project or program that will be financed by non-governmental sources.

SEC. 505. None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

Nothing in this Act shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds) for—

(a) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) If the pregnancy is the result of an act of rape or incest; or

(2) For the care of a minor where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, certifications of danger by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds) for—

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of any organization or entity to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 510. (a) None of the funds made available in this Act may be used for—

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in this Act, and provide in such notice that such statement applies to contracts, grants, and loans made, contracted for, or entered into by such agency or by any other Federal agency.

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in..." inscription to any product with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or sub-contract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9003 of title 41, Code of Federal Regulations.

SEC. 507. When issuing statements, press releases, requests for facilitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage and dollar amount of the total costs or project or program which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of costs of the project or program that will be financed by non-governmental sources.
organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

S. 944. That the following sums are appropriated, pursuant to section 1501 of the Second Supplemental Appropriations Act, 2003''.

SEC. 513. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

S. 512. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 117(b) of the Social Security Act (42 U.S.C. 1320d–1) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual’s capacity as an employer or a health care provider) unless that legislation is enacted specifically approving the standard.

S. 514. (a) Section 1708 of the United States Institute of Peace Act (22 U.S.C. 4607) is amended in subsection (g), by striking “on or before December 31, 1970”;

(b) Section 1710 of the United States Institute of Peace Act (22 U.S.C. 4607) is amended in subsection (a)(1), by striking the numeral “4” preceding the phrase “succeeding fiscal years” and inserting the numeral “5”;

(c) Any petty surplus resources available to the Departments of Labor, Health and Human Services, and Education in this Act for salaries and expenses during fiscal year 2007, and not otherwise appropriated to be allocated by the Office of Management and Budget, are permanently canceled.

This division may be cited as the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008”.

DIVISION II—LEGISLATIVE BRANCH

APPROPRIATIONS, 2003

Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—LEGISLATIVE BRANCH

APPROPRIATIONS

SENATE

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For a payment to Paul David Wellstone, Jr., son of Paul David Wellstone, late a Senator from Minnesota, $50,000; Mark D. Wellstone, son of Paul David Wellstone, a Senator from Minnesota, $50,000; and Michael Kerner, Guardian of the Estate of Joshua Kerner, for Joshua Kerner, minor, son of Marcia Wellstone Markanus, deceased, daughter of Paul David Wellstone, late a Senator from Minnesota, $50,000.

For expenses of the Vice President, $20,000; the President Pro Tempore of the Senate, $20,000; Majority Leader of the Senate, $20,000; Minority Leader of the Senate, $20,000; Majority Whip of the Senate, $10,000; Minority Whip of the Senate, $10,000; Chairman of the Majority and Minority Conference Committees, $5,000 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $5,000 for each Chairman; in all, $120,000.

Representative Appropriations for the Majority and Minority Leaders

For representation allowances of the Majority and Minority Leaders of the Senate, $15,000 for each such Leader; in all, $30,000.

Salaries, Officers and Employers

For compensation of officers, employees, and others as authorized by law, including agency contributions, $116,891,000, which shall be paid from this appropriation without regard to the following limitations:

Office of the Vice President

For the Office of the Vice President, $1,410,000.

Office of the President Pro Tempore

For the Office of the President Pro Tempore, $2,610,000.

Offices of the Majority and Minority Leaders

For Offices of the Majority and Minority Leaders, $3,094,000.

Offices of the Majority and Minority Whips

For Offices of the Majority and Minority Whips, $2,642,000.

Committee on Appropriations

For salaries of the Committee on Appropriations, $11,266,000.

Conference Committees

For the Conference of the Majority and the Minority of the Senate, at rates of compensation to be fixed by the Chairman of each such committee, $1,305,000 for each such committee; in all, $2,610,000.

Offices of the Secretaries of the Conference of the Majority and the Minority

For the Secretaries of the Conference of the Majority and the Minority, at rates of compensation to be fixed by the Secretary of the Senate, $3,000; and to the Minority Leader, $3,000; in all, $6,000.

Policy Committees

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,362,000 for each such committee; in all, $2,724,000.

Office of the Chaplain

For the Office of the Chaplain, $31,000.

Office of the Secretary

For the Office of the Secretary, $1,079,000.

For the Sergeant at Arms and Doorkeeper, $13,161,000.

Office of the Secretaries of the Majority and Minority

For the Secretary of the Majority and Minority, at rates of compensation to be fixed by the Secretary of the Senate, $1,410,000.

Agency Contributions and Related Expenses

For agency contributions for employee benefits, as authorized by law, and related expenses, $30,075,000.

Office of the Legislative Counsel of the Senate

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $4,581,000.

Office of Senate Legal Counsel

For salaries and expenses of the Office of Senate Legal Counsel, $1,176,000.

Responsibilities of the Senate, Sergeant at Arms and Doorkeeper

For the Majority and Minority Leaders for the Majority and Minority of the Senate

For expense allowances of the Secretary of the Senate, $3,000; Secretary of the Sergeant at Arms and Doorkeeper, $3,000; Secretary for the Majority of the Senate, $3,000; Secretary for the Minority of the Senate, $3,000; in all, $12,000.

Contingent Expenses of the Senate

For expenses and investigations ordered by the Senate, or conducted under section 134(a) of Public Law 96–70, Seventy-ninth Congress section 112 of Public Law 96–304 and Senate Resolution 281, agreed to March 11, 1980, $169,450,000.

Expenses of the United States Senate

Caucus on International Narcotics Control

For expenses of the United States Senate Caucus on International Narcotics Control, $320,000.

Secretary of the Senate

For expenses of the Office of the Secretary of the Senate, $7,077,000, of which $5,000,000 shall remain available until September 30, 2007.

Sergeant at Arms and Doorkeeper of the Senate

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $114,223,000, of which $9,570,000 shall remain available until September 30, 2005, and of which $13,574,000 shall remain available until September 30, 2007.

Miscellaneous Items

For miscellaneous items, $18,513,000, of which up to $500,000 shall be made available for a pilot program for mailings of postal patron postcards by Senators for the purpose of providing notice of a town meeting by a Senator in a county (or equivalent unit of local government) with a population of less than 250,000 and at which the Senator will personally attend: Provided, That any amount allocated to a Senator for such mailing shall not exceed 50 percent of the cost of the mailing and the remaining cost shall be paid by the Senator from other funds available to the Senator: Provided further, That not later than October 31, 2003, the Sergeant at Arms and Doorkeeper shall submit a report to the Committee on Rules and Administration and Committee on Appropriations of the Senate on the results of the program.

Senators’ Official Personnel and Office Expense Account

For Senators’ Official Personnel and Office Expense Account, $294,545,000.

Official Mail Costs

For expenses necessary for official mail costs of the Senate, $300,000.

Administrative Provisions

S. 944. (a) Section 111 of title 3, United States Code, is amended by striking “$300,000” and inserting “$30,000”.

(b) The matter under the subheading “Expense Allowances of the Vice President, President Pro Tempore, Majority and Minority Leaders and Majority and Minority Whips” under the heading “LEGISLATIVE BRANCH” under chapter VI of title I of the Senate Supplemental Appropriations Act, 1978 (Public Law 95–355; 92 Stat. 532) is amended—

(1) in the second sentence (2 U.S.C. 31a–1) (relating to the Majority and Minority Leaders of the Senate) by striking “$10,000” and inserting “$20,000”; and
(2) in the third sentence (2 U.S.C. 23b) (relating to the President pro tempore) by striking $10,000" and inserting "$20,000".

d. The matter under the subheading "EX-PRESS BILLING" in the Senate:

" (e) Section 5 of title I of the Legislative Branch Appropriations Act, 2001, as enacted by law into section 1(a) of Public Law 106–554 (2 U.S.C. 766A; Guidelines to the Chairman of the Majority and Minority Policy Committees) is amended by striking "$3,000" and inserting "$5,000".

f. The amendment made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

Section 2. (a) The matter under the subheading "STATIONERY (REVOLVING FUND)" under the heading "LEGISLATIVE BRANCH" in the Senate:

" (b) The amendment made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

Section 3. Effective on and after October 1, 2002, each of the dollar amounts contained in the table under section 105(d)(1)(A) shall be deemed to be $5,000 each.

(b) Section 101 of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be $15,000 each.

(c) Section 3 of the Supplemental Appropriations Act, 1975 (2 U.S.C. 46a; Public Law 94–32; 89 Stat. 338) (relating to the Chairman of the Majority and Minority Conference Committees) is amended by striking "not exceed $3,000" and inserting "not exceed $5,000".

(d) Section 5 of title I of the Legislative Branch Appropriations Act, 2001, as enacted by law into section 1(a) of Public Law 106–554 (2 U.S.C. 766A; Guidelines to the Chairman of the Majority and Minority Policy Committees) is amended by striking "$3,000" and inserting "$5,000".

(e) The amendment made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

Section 4. Effective on and after October 1, 2002, each of the dollar amounts contained in the table under section 105(d)(1)(A) shall be deemed to be the dollar amounts in that table, as adjusted by law and in effect on September 30, 2002, increased by an additional $50,000 each.

Section 5. The amendment made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

Section 5. Public Safety Exemption to Inspections Requirement on Mobile Offices.

(a) In General.—Section 39c(d) under the subheading "ADMINISTRATIVE PROVISIONS" in the Senate:

" (b) The amendment made by this section shall take effect on the date of enactment of this Act and apply to fiscal year 2003 and each fiscal year thereafter.

Section 6. Multi-Year Contracting Authority.

(a) In General.—Under the heading "LEGISLATIVE BRANCH" under chapter IX of title I of the Supplemental Appropriations Act, 1983 (2 U.S.C. 31a–3; Public Law 97–63; 99 Stat. 338) (relating to the Majority and Minority Policy Committees) is amended by striking "not exceed $5,000" and inserting "not exceed $10,000".

(b) The amendment made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

Section 7. Consultants.

(a) In General.—Section 101 of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61–1(d)(1)(A)) is amended by adding at the end the following:

" (b) Section 101 of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61–1(d)(1)(A)) is amended by adding at the end the following:

" (b) The amendment made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

Joint Items

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $5,658,000, to be disbursed by the Chief Administrative Official of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $7,323,000, to be disbursed by the Chief Administrative Official of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, $1,279,000, to be disbursed by the Chief Administrative Officer of the Senate; provided, That the Capitol Police may be paid to the persons designated by the Secretary of the Senate.

Capitol Guide Service and Special Services Office

For salaries and expenses of the Capitol Guide Service and Special Services Office, $5,035,000, to be disbursed by the Chief Administrative Officer of the Senate: Provided, That the Capitol Guide Service is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each fiscal year, and not more than 10 additional individuals for not more than 6 months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For appropriations under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the second session of the Eighty-Eighth Congress and successive fiscal years, showing appropriations made, indefinite appropriations, and contracts authorized, together with a cumulative history of the regular appropriations of the Senate for the fiscal year specified, to be paid to the persons designated by the chairmen of such committees to supervise the work.

Capitol Police

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, differential and Government contributions for health, retirement, and other applicable employee benefits, $175,675,000, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment, installation, operating contracts, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and other charges not in excess of $5,000, to be paid to the persons designated by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2003 shall be paid by the Secretary of Homeland Security.

For administrative provisions under the heading "CAPITOL POLICE":

" (1) enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year, or for the same or similar services as a result of the same or similar conditions as the head of an executive agency under the authority of section 301 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254).

(b) This section shall take effect on October 1, 2002, and shall apply in fiscal year 2003 and successive fiscal years.

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, differential and Government contributions for health, retirement, and other applicable employee benefits, $175,675,000, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment, installation, operating contracts, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and other charges not in excess of $5,000, to be paid to the persons designated by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2003 shall be paid by the Secretary of Homeland Security.

For administrative provisions:

SEC. 1. Transfer of Funds.

(a) In General.—Under the heading "ACCOUNTING PROVISIONS" under the heading "CAPITOL POLICE" in the Senate:

"(6) For salaries and expenses of the Capitol Police, $175,675,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2003 shall be paid by the Secretary of Homeland Security.

(b) This section shall take effect on October 1, 2002, and shall apply in fiscal year 2003 and successive fiscal years.

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, differential and Government contributions for health, retirement, and other applicable employee benefits, $175,675,000, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment, installation, operating contracts, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and other charges not in excess of $5,000, to be paid to the persons designated by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2003 shall be paid by the Secretary of Homeland Security.

For administrative provisions:

SEC. 1. Transfer of Funds.

(a) In General.—Under the heading "ACCOUNTING PROVISIONS" under the heading "CAPITOL POLICE" in the Senate:

"(6) For salaries and expenses of the Capitol Police, $175,675,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2003 shall be paid by the Secretary of Homeland Security.
dispose of surplus or obsolete property of the Capitol Police by interagency transfer, donation, sale, trade-in, or other appropriate method.

(b) AMOUNTS RECEIVED.—Any amounts received by the Capitol Police from the disposition of property under subsection (a) shall be credited to the account established for the general expenses of the Capitol Police, and shall be available to carry out the purposes of such account during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1001. RECRUITMENT AND RELocation BONUSES. Section 909 of the Emergency Supplemental Act, 2002 (Public Law 107–117; 115 Stat. 2320) is amended—

(1) in subsection (a),—

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

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

“(6) DETERMINATION NOT APPEALABLE OR REVIEWABLE.—Any determination of the Chief under this subsection shall not be appealable or reviewable in any manner.’’;

(2) by striking subsections (e) and (f); and

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

SEC. 1005. RECRUITMENT OF INDIVIDUALS WITHOUT REGARD TO AGE. (a) IN GENERAL.—The Chief of the Capitol Police shall carry out any activities and programs to recruit individuals to serve as members of the Capitol Police without regard to the age of the individuals.

(b) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect any provision of law of any rule or regulation providing for the mandatory separation of members of the Capitol Police on the basis of age, or any provision of law or any rule or regulation regarding the calculation of retirement or other benefits for members of the Capitol Police.

SEC. 1006. RETENTION ALLOWANCES. Section 909(b) of the Emergency Supplemental Act, 2002 (Public Law 107–117; 115 Stat. 2320) is amended—

(1) in paragraph (1),—

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

(B) by striking “if—” and inserting “if the Chief, in the Chief's sole discretion, determines that such a bonus will assist the Capitol Police in retention efforts’’; and

(2) in paragraph (3), by striking “the reduction or the elimination of a retention allowance generally provided’’ and inserting “any determination of the Chief under this subsection, or the reduction or elimination of a retention allowance, shall not be appealable or reviewable in any manner’’.

SEC. 1007. EDUCATIONAL ASSISTANCE PROGRAM FOR EMPLOYEES. Section 908 of the Emergency Supplemental Act, 2002 (2 U.S.C. 1924; Public Law 107–117; 115 Stat. 2320) is amended to read as follows:—

“EDUCATIONAL ASSISTANCE PROGRAM FOR EMPLOYEES

“Sec. 908. (a) Establishment.—In order to recruit and retain qualified personnel, the Chief of the Capitol Police may establish an educational assistance program for employees of the Capitol Police under which the Capitol Police may—

“(1) to repay (by direct payments on behalf of the participating employee) all or any portion of a student loan previously taken out by the employee;

“(2) to make direct payments to an educational institution on behalf of a participating employee;

“(3) to repay the participating employee for all or any portion of any tuition or related educational expenses paid by the employee.

“(b) GRANT APPLICATIONS TO BE REIMBURSED.—

“(1) APPLICATION OF REGULATIONS UNDER EXECUTIVE BRANCH PROGRAM.—In carrying out the provisions of section 908 of the Emergency Supplemental Act, 2002 (Public Law 107–117; 115 Stat. 2320) the Board may, by regulation, make applicable such provisions of section 5579 of title 5, United States Code, as the Board determines necessary to carry out the purposes of this section.

“(2) RESTRICTIONS ON PRIOR REIMBURSEMENTS.—The Capitol Police may not reimburse any individual under subsection (a)(1) for any repayments made by the individual prior to entering into an agreement with the Capitol Police to participate in the program under this section.

“(c) USE OF RECOVERED AMOUNTS.—Any amount repaid by, or recovered from, an individual under subsection (a)(1) and its implementing regulations shall be credited to the appropriation account available for salaries and expenses of the Capitol Police at the time of repayment or recovery. Such credited amount may be used for any authorized purpose of the Capitol Police and shall remain available until expended.

“(d) LIMIT ON AMOUNT OF PAYMENTS.—The total amount paid by the Capitol Police with respect to any individual under the program under this section may not exceed $40,000.

“(e) USE OF RECOVERED AMOUNTS.—Any determination made under the program under this section may not be reviewable or appealable in any manner.

“(f) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2003 and each succeeding fiscal year.

“Sec. 1008. APPLICABLE PAY RATE UPON APPOINTMENT.—(a) IN GENERAL.—Notwithstanding any other provision of law, the rate of basic pay payable to an individual upon appointment to a position with the Capitol Police shall be at a rate within the minimum and maximum pay rates applicable to the position.

“(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

“Sec. 1009. OVERTIME COMPENSATION FOR OFFICERS AT RANK OF LIEUTENANT OR HIGHER. (a) IN GENERAL.—The Chief of the Capitol Police may provide for the compensation of overtime work of officers of the Capitol Police at the rank of lieutenant and higher. Nothing in this subsection may be construed to affect the compensation of overtime work of officers of the Capitol Police at any rank not described in the previous sentence.

“(b) TERMS AND CONDITIONS.—In providing for the compensation of overtime work under this section, the Chief shall provide the compensation in the same manner and subject to the same terms and conditions which are applicable to the compensation of overtime work of officers and members of the United States Secret Service Uniformed Division and the United States Park Police who serve at the rank of lieutenant and higher, in accordance with section 1 of the Act entitled “An Act to provide a 5-day week for officers and members of the Metropolitan Police force, the United States Park Police force, the Secret Service and for other purposes”, approved August 15, 1950 (5–1304, D.C. Official Code).

“(c) EFFECTIVE DATE.—Subsection (a) shall apply with respect to hours of duty occurring on or after September 11, 2001.

“Sec. 1010. TRAINING PROGRAMS FOR PERSONNEL.—(a) IN GENERAL.—The Chief of the Capitol Police may be reimbursed for any expenses incurred in providing training to employees of the Capitol Police. The regulations shall provide for training which, in the determination of the Chief, is consistent with the training provided under the preceding sections of this chapter.

“(b) THE OFFICE OF PERSONNEL MANAGEMENT.—In providing for the training of employees of the United States Secret Service Uniformed Division and the United States Park Police who serve at the rank of lieutenant and higher, the Office of Personnel Management shall provide that the training be consistent with the training provided under the preceding sections of this chapter.

“(c) OFFICER OF THE UNITED STATES.—The Chief may request in order to enable the Chief to carry out the purposes of this section, a program authorized by sections 41 of title 5, United States Code, is amended by adding at the end the following new section:

“4120. Training for employees of the Capitol Police

“(a) The Chief of the Capitol Police may, by regulation, make applicable such provisions of this chapter as the Chief determines necessary to provide for training of employees of the Capitol Police. The regulations shall provide for training which, in the determination of the Chief, is consistent with the training provided under the preceding sections of this chapter.

“(b) The Office of Personnel Management shall provide that the training be consistent with the training provided under the preceding sections of this chapter.

“Sec. 1011. ADDITIONAL COMPENSATION FOR EMPLOYEES WITH SPECIALTY ASSIGNMENTS AND PROFICIENCIES. (a) ESTABLISHMENT OF POSITIONS.—The Chief of the Capitol Police may establish and determine, from time to time, positions in salary classes of employees of the Capitol Police to be designated as employees with specialty assignments or proficiency levels, based on the need to provide additional compensation for educational, training, or other appropriate factors required to carry out the duties of such employees.

“(b) ADDITIONAL COMPENSATION.—In addition to the regularly scheduled rate of basic pay, each employee holding a position designated under this section shall receive a per annum amount determined by the Chief, except that—

“(1) such amount may not exceed 25 percent of the employee’s annual rate of basic pay; and

“(2) such amount may not be paid in a calendar year to the extent that, when added to the total basic pay paid or payable to such employee for service performed in the year, such amount would cause the total exceeded the annual rate of basic pay payable for level II of the Executive Schedule, as of the end of such year.

“(c) MANNER OF PAYMENT.—The additional compensation authorized by this subsection shall be paid to an employee in a manner determined by the Chief, except when the employee ceases to be assigned to the specialty assignment or ceases to maintain the proficiency level. Any amount of such additional compensation shall not constitute an adverse action for any purpose.

“(d) DETERMINATION NOT APPEALABLE OR REVIEWABLE.—Any determination under subsection (a) shall not be appealable or reviewable in any manner.

“Sec. 1012. APPLICATION OF PREMIUM PAY LIMITS ON ANNUALIZED BASIS. (a) IN GENERAL.—Any limits on the amount of premium pay which may be earned by officers and members of the Capitol Police during emergency (as determined by the Chief of the Capitol Police Board) shall be applied by the Chief of the Capitol Police on an annual basis and not on a pay period basis. Any determination under this subsection shall not be reviewable or appealable in any manner.

“Sec. 1013. TRANSFER OF LIBRARY OF CONGRESS TO THE UNITED STATES CAPITOL POLICE. (a) TRANSFER OF LIBRARY OF CONGRESS TO THE UNITED STATES CAPITOL POLICE.—

“(1) TRANSFER OF PERSONNEL AND FUNCTIONS.—There are transferred to the United States Capitol Police, under section 41 of title 5, United States Code, each Library of Congress Police employee; and
(B) any functions performed under the first section of the Act of August 4, 1950 (2 U.S.C. 167) and section 9 of that Act (2 U.S.C. 167b) (as in effect immediately before the effective date of this section).

(2) EFFECT ON PERSONNEL.—

(A) ANNUAL AND SICK LEAVE.—Any annual or sick leave to the credit of an individual transferred under paragraph (1), any period of service performed by a Library of Congress Police employee shall be deemed to be service performed as a member of the United States Capitol Police for purposes of chapters 83 and 84 of title 5, United States Code.

(B) SERVICE PERFORMED FOR RETIREMENT PURPOSES.—For those Library of Congress Police employees transferred under paragraph (1)(a), any period of service performed by a Library of Congress Police employee shall be deemed to be service performed as a member of the United States Capitol Police for purposes of chapters 83 and 84 of title 5, United States Code.

(C) VACANCIES.—Notwithstanding any other provision of law, upon the date of enactment of this section and until completion of the transfer under paragraph (1), vacancies in Library of Congress police employee positions, if filled, shall be filled in accordance with the employment standards of the United States Capitol Police, to the extent practicable.

(3) EFFECTIVE DATE OF TRANSFER OF PERSONNEL AND FUNCTION.—Library of Congress employees transferred to the United States Capitol Police under paragraph (1)(a), and Library of Congress functions transferred under paragraph (1)(b) shall be transferred to the United States Capitol Police as specified in the implementation plan under subsection (b)(1), but no later than 3 years after the date of enactment of this section.

(4) TRANSITION.—

(A) IMPLEMENTATION PLAN.—

(1) PLAN.—Not later than 180 days after the date of enactment of this section, the Chief of the Capitol Police shall prepare and submit to the appropriate committees of Congress, the Capitol Police Board, and the Librarian of Congress, a plan—

(i) describing the policies and procedures, and actions the Chief of the Capitol Police will take in implementing the transfer provisions under this section;

(ii) identifying any program by which Library of Congress personnel and functions authorized to be transferred under subsection (a)(1) shall be transferred to the United States Capitol Police; such plan shall be completed not later than 3 years after the date of enactment of this section;

(iii) in consultation with the Librarian of Congress, recommend legislative changes needed to implement the transfers under subsection (a)(1); and

(iv) recommending legislative changes needed to implement the transfers under subsection (a)(3), including—

(I) identifying options for addressing how United States Capitol Police training and qualification requirements will be applied to Library of Congress employees transferred under subsection (a)(1); and

(II) identifying the training needs of the merged police force; and

(vii) providing an analysis of the cost implications of implementing the plan.

(2) IMPLEMENTATION PLAN.—Not later than 1 year after the date of enactment of this section, and annually thereafter until the transfer is fully implemented, the Chief of the Capitol Police shall prepare and submit to the appropriate committees of Congress, the Capitol Police Board, and the Librarian of Congress, a report of the implementation plan required in paragraph (1)(A) of this subsection, including any adjustments to cost estimates or legislative changes needed to implement the plan.

(B) DEFINITIONS.—In this section—

(1) the term ‘‘Act of August 4, 1950’’ means the Act entitled ‘‘An Act relating to the policing of the buildings and grounds of the Library of Congress’’, approved August 4, 1950 (2 U.S.C. 167 et seq.); and

(2) the term ‘‘Library of Congress Police employee’’ means an employee of the Library of Congress designated as police under the first section of the Act of August 4, 1950 (2 U.S.C. 167) (as in effect immediately before the effective date of this section); and

(B) does not include any civilian employee performing law enforcement duties.

(d) EFFECTIVE DATE.—Except as otherwise provided in this section, this section shall take effect on the date of enactment of this section.

SEC. 1014. CLARIFICATION OF AUTHORITY OF CAPITOL POLICE TO POLICE BOTANIC GARDEN.

(a) BUILDING CONTROL.—Title 16, United States Code, is amended by inserting ‘‘all buildings on the real property described in title 16, United States Code, as amended by section 5102 of title 40, United States Code, is amended by inserting ‘‘all buildings on the real property described under section 5102(c) (including the Administrative Building of the United States Botanic Garden),’’ after ‘‘Capitol Power Plant.’’.

(b) GROUNDS.—Section 5102 of title 40, United States Code, is amended by adding at the end the following:

(3) the term ‘‘Library of Congress Police employee’’ means an employee of the Library of Congress transferred under paragraph (2) (as in effect immediately before the effective date of this section); and

(B) does not include any civilian employee performing law enforcement duties.

(d) EFFECTIVE DATE.—Except as otherwise provided in this section, this section shall take effect on the date of enactment of this section.

SEC. 1016. TRANSFER OF DISBURSING FUNCTION.

(a) IN GENERAL.—

(1) DISBURSING OFFICER.—The Chief of the Capitol Police shall be the disbursing officer for the Capitol Police. Any reference in any law or resolution before the date of enactment of this Act to funds paid or disbursed by the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate relating to the pay and allowances of Capitol Police employees shall be deemed to refer to the Chief of the Capitol Police.
OFFICE OF COMPLIANCE  

SAVARIES AND EXPENSES  

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1304f), $2,054,000 shall remain available until September 30, 2004: Provided, That the Executive Director of the Office of Compliance may have the authority, within the limits of available appropriations, to dispose of surplus or obsolete personal property by interagency transfer, donation, or discarding.

CONGRESSIONAL BUDGET OFFICE  

SAVARIES AND EXPENSES  

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and representation expenses, $2,101,000, of which not more than $100,000 is to remain available until September 30, 2004, for the acquisition and partial support for implementation of a Central Financial Management System: Provided, That in no amount may be used for the purchase or hire of a passenger motor vehicle.

ADMINISTRATIVE PROVISIONS  

SIRC. 1101. (a) The Director of the Congressional Budget Office may, by regulation, make applicable such provisions of section 5 of the United States Code as the Director determines necessary to establish a program providing opportunities for employees of the Office to engage in details or other temporary assignments to other agencies, study or uncompensated work experience which will contribute to the employees’ development and effectiveness.

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SIRC. 1102. (a) The Director of the Congressional Budget Office may enter into agreements or contracts without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 2-5).

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

ARCHITECT OF THE CAPITOL  

GENERAL ADMINISTRATION  

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care, custody, and control of the Architect of the Capitol; and for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol, including the Botanic Garden, electrical substation of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishing and equipping of office buildings, including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $59,345,000, of which $45,000 shall remain available until September 30, 2007.

CAPITOL BUILDING  

For all necessary expenses for the maintenance, care and operation of the Capitol, $32,094,000, of which $19,065,000 shall remain available until September 30, 2007.

CAPITOL GROUNDS  

For all necessary expenses for care and improvement of grounds, including the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $8,356,000,
with respect to purchases and contracts for the Architect of the Capitol as if the reference to "$25,000" in paragraph (1) of such section were a reference to "$100,000"; and (2) the Architect may require services, equipment, and construction for security-related projects in the most efficient manner he determines appropriate.

(b) Effective date.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1302. MULTI-YEAR CONTRACT AUTHORITY. (a) IN GENERAL.—The Architect of the Capitol may—

(1) enter into contracts for the acquisition of severable services for a period that begins in 1 fiscal year and ends in the next fiscal year to the same extent as the head of an executive agency under the authority of section 3010 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253I); and

(2) enter into multiyear contracts for the acquisitions of property and nonaudit-related services to the same extent as executive agencies under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c).

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1203. DEPUTY ARCHITECT OF THE CAPITOL; CHIEF OPERATING OFFICER. (a) ESTABLISHMENT OF DEPUTY ARCHITECT OF THE CAPITOL.—There shall be a Deputy Architect of the Capitol who shall serve as the Chief Operating Officer of the Architect of the Capitol. The Deputy Architect of the Capitol shall be appointed by the Architect of the Capitol and shall report directly to the Architect of the Capitol and shall be subject to the authority of the Architect of the Capitol. The Architect of the Capitol shall appoint the Deputy Architect of the Capitol not later than 60 days after enactment of this Act. The appointment shall be made without regard to political affiliation or activity. The Architect of the Capitol may be removed by the Architect of the Capitol for the overall direction, management, and operation of the Capitol. The Deputy Architect shall consult with the Comptroller General or his designee before making the appointment.

(b) QUALIFICATIONS.—The Deputy Architect of the Capitol shall have strong leadership skills and demonstrated ability in management, including in such areas as strategic planning, performance management, worker safety, customer satisfaction, and service quality.

(c) RESPONSIBILITIES.—(1) IN GENERAL.—The Deputy Architect of the Capitol shall be responsible to the Architect of the Capitol for the overall direction, management, and operation of the Office of the Architect of the Capitol, including implementing the Office's goals and mission; providing overall organization management to improve the efficiency of the Architect's office; and assisting the Architect of the Capitol in promoting reform, and measuring results.

(2)/board responsibilities.—The Deputy Architect's responsibilities shall include—

(A) developing, implementing, annually updating, and maintaining a long-term strategic plan covering a period of not less than 5 years for the Architect of the Capitol, including the establishment of—

(i) a comprehensive mission statement covering the major functions and operations of the Office; and

(ii) general goals and objectives, including outcome-related goals and objectives, for the major functions and operations of the Office;

(B) developing and implementing an annual performance plan that includes annual performance goals covering each of the general goals and objectives in the strategic plan, annual performance measures or quantifiable performance measures for the annual goals;

(C) proposing organizational changes and new positions needed to carry out the Office of the Architect of the Capitol's mission and strategic and annual performance goals; and

(D) representing and disseminating the functions of the Office of the Architect of the Capitol, including—

(i) facilities and project management;

(ii) strategic and annual planning; and

(iii) productivity and cost-saving measures.

(iv) strategic human capital management, including performance management and training and development initiatives; and

(v) financial management, including the integration of the Office's cost and financial management to ensure that budgets, financial information, and systems support the strategic and annual plans developed under this subsection.

(d) ADDITIONAL RESPONSIBILITIES.—The Architect of the Capitol may delegate to the Deputy Architect such additional duties as the Architect determines are necessary or appropriate.

(e) ACTION PLAN.—(1) IN GENERAL.—No later than 180 days after the appointment, the Deputy Architect shall prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate and the Committee on Rules and Administration of the Senate, an action plan describing the policies, procedures, and actions the Deputy Architect will implement and timeframes for carrying out the responsibilities under this section.

(2) ACTION PLAN.—The action plan shall be—

(A) approved and signed by both the Architect of the Capitol and the Deputy Architect; and

(B) developed concurrently and consistent with the development of a strategic plan.

(f) ADDITIONAL SENIOR POSITIONS.—Notwithstanding the provisions in section 132(c) of the Legislative Branch Appropriations Act, 2002, Public Law 107-68, the Architect of the Capitol may, upon submission of the action plan, fix the rate of basic pay for not more than 3 additional positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code, for the locality involved, in order to implement the action plan.

(g) EVALUATION.—Effective 180 days from the appointment of the Deputy Architect of the Capitol, the Deputy Architect of the Capitol shall evaluate at least annually the implementation of the action plan and provide the results of the evaluation to the Architect of the Capitol, the Committees on Appropriations of the House of Representatives and Senate and the Committee on Rules and Administration of the Senate.

(h) REMOVAL.—The Deputy Architect of the Capitol may be removed by the Architect of the Capitol for misconduct or failure to meet performance goals set forth in the performance agreement in the action plan, or upon the removal of the Deputy Architect of the Capitol, the Architect of the Capitol shall immediately notify in writing the Committees on Appropriations of the House of Representatives and Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate, of the reasons for the removal.

(i) COMPENSATION.—The Deputy Architect of the Capitol shall be paid the rate of pay to be determined by the Architect but not to exceed $1,000 less than the annual rate of pay for the Architect of the Capitol.

SEC. 1204. DEPUTY CHIEF OPERATING OFFICER.—The Architect of the Capitol and the Deputy Architect of the Capitol, shall enter into an...
annual performance agreement that sets forth measurable individual goals linked to the organizational goals in the Office of the Architect of the Capitol’s annual performance score for the Deputy Architect of the Capitol in key operational areas. The agreement shall be subject to review and renegotiation by the Architect of the Capitol. This report shall contain an evaluation of the extent to which the Office of the Architect of the Capitol met the goals and objectives identified in the annual performance plan for the preceding year and an explanation of the results achieved during the preceding year relative to the established goals. This report shall also include the evaluation rating of the performance of the Deputy Architect of the Capitol under subsection (b), including the amount of bonus compensation awarded to the Deputy Architect of the Capitol, and such additional information as may be prescribed by the Architect of the Capitol.

(k) TERMINATION OF ROLE. — As of October 1, 2004, the role of the Comptroller General and the General Accounting Office, as established by law, will cease.


SEC. 1205. DELEGATION OF AUTHORITY BY ARCHITECT OF THE CAPITOL. — The matter under the subheading "OFFICE OF THE ARCHITECT OF THE CAPITOL" under the heading "ARCHITECT OF THE CAPITOL" of the Legislative Branch Appropriations Act, 1971 (40 U.S.C. 164a) is amended by striking "Assistant Architect" and inserting "Architect of the Capitol may delegate to the assistants of the Architect such authority as the Architect deems proper, except those authorities, duties, and responsibilities specifically assigned to the Deputy Architect of the Capitol by the Legislative Branch Appropriations Act.

SEC. 1206. ASSISTANT ARCHITECT. — Notwithstanding any other provision of law, the compensation of the Assistant Architect who is incumbent when this provision of this Act is in effect, and the compensation of any elected or appointed successor to the Assistant Architect who is incumbent when this provision of this Act is in effect, shall not be reduced so long as the former Assistant Architect is employed at the Office of the Architect of the Capitol. Whenever the Architect of the Capitol receives a pay adjustment after the date of enactment of this section, the compensation of such former Assistant Architect shall be adjusted by the same percentage as the compensation of the Architect of the Capitol. The authority granted in this section shall be in addition to the authority the Architect of the Capitol has in section 129(c)(1)(A) of the Legislative Branch Appropriations Act, 2002, as amended by this Act, to fix the rate of basic pay for not more than 15 positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 33 of title 5, United States Code, for the locality involved.

SEC. 1207. SENATE STAFF HEALTH AND FITNESS ACT. — The subheading "OFFICE OF THE SENATE FACILITY" under the heading "FACILITIES FOR THE SENATE" of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 121f) is amended —

(1) in subsection (a), by inserting "Staff" after "House" and before "other Federal agencies";

(2) in subsection (b)(1), by inserting "Staff" after "Senate";

(3) in subsection (c), by inserting "Staff" after "costs of the Senate";

(4) in subsection (d), by inserting "Staff" after "Senate"; and

(5) by striking subsection (e) and inserting the following:

"(e) The Committee on Rules and Administration of the Senate shall promulgate regulations concerning the use of any funds that may not exceed $6,500,000 in each fiscal year and use of the Senate Staff Health and Fitness Facility.

SEC. 1208. ALLOCATION OF RESPONSIBILITY FOR LIBRARY BUILDINGS AND GROUNDS. — In general. —The first section of the Act of June 26, 1902 (2 U.S.C. 141) is amended to read as follows:

"SECTION 1. ALLOCATION OF RESPONSIBILITIES FOR LIBRARY BUILDINGS AND GROUNDS.

'(a) ARCHITECT OF THE CAPITOL.'—

'(1) IN GENERAL.—The Architect of the Capitol shall have charge of all work at the Library of Congress buildings and grounds (as defined in section 11 of the Act entitled 'An Act relating to the policing of the buildings of the Library of Congress' approved August 4, 1950 (2 U.S.C. 161j)) that affects—

'(A) the structural integrity of the buildings;

'(B) buildings systems, including mechanical, electrical, plumbing, and elevators;

'(C) the architectural features of the buildings;

'(D) compliance with building and fire codes, laws, and regulations with respect to the specific responsibilities set under this paragraph;

'(E) the care and maintenance of Library grounds; and

'(F) purchase of all equipment necessary to fulfill the responsibilities set forth under this paragraph.

'(2) EMPLOYEES.—The employees required for the operation and maintenance of the Library in the context of this section shall be transferred to the appropriate office.

'(b) LIBRARIAN OF CONGRESS.—The Librarian of Congress shall have charge of all work (other than work under subsection (a) at the Library of Congress buildings and grounds.

'(c) TRANSFER OF FUNDS.—The Architect of the Capitol and the Librarian of Congress may enter into agreements with each other to perform work under this section, and, subject to the approval of the Committees on Appropriations and the Senate and the Joint Committee on the Library, may transfer between themselves appropriations or other available funds for the purpose of carrying out the provisions of this Act.

'(d) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1209. LIBRARY OF CONGRESS SALARIES AND EXPENSES. —For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalogue of the custodial catalog of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; and operations of an Integrated Library System, $500,000 shall remain available until expended.
111(d)(2), 119(b)(2), 802(h), and 1005 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than the amounts so provided: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an “International Copyright Institute” in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $100,000 shall be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $88,952,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 40; 46 Stat. 1487; 2 U.S.C. 135a), $50,963,000, of which $13,697,000 shall remain available until expended; Provided, That the total amount appropriated, $1,000,000 shall remain available until expended to reimburse the National Federation of the Blind for costs incurred in the operation of its “NEWSPRINT” program.

ADMINISTRATIVE PROVISIONS

SBC. 1301. Of the amounts appropriated to the Library of Congress in this Act, not more than $29,000 shall be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the in-

For authorized printing and binding for the Library of Congress, $90,143,000: Provided, That this appropriation shall not be available for temporary or intermittent services under section 310(b) of title 5, United States Code, but at rates for temporary or intermittent services the annual rate of basic pay for level V of the Executive Schedule under section 5315 of title 5, United States Code, and none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: Provided fur- ther, That activities financed through the revolving fund may provide information in any format.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses, $451,134,000: Provided, That not more than $2,500 may be expended on the certifi- cation of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenses incurred in connection with official repre- sentation expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund and the funds provided under the headings “OFFICE OF SUPERINTENDENT OF DOCUMENTS” and “SALARIES AND EXPENSES” together may not be available for the full-time equivalent employment of more than 3,219 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Com- mittees on Appropriations of the House of Representatives and Senate): Provided fur- ther, That activities financed through the revolving fund may provide information in any format.
under section 9185 of title 31, United States Code, shall be available for use in fiscal year 2003: Provided further, That this appropriation and appropriations for administrative expenses of any department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum’s costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved in the payment are financed: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

PAYMENT TO THE FOREIGN LEADERSHIP DEVELOPMENT CENTER TRUST FUND

For a payment to the Foreign Leadership Development Center Trust Fund for financing activities of the Center for Foreign Leadership Development, $13,000,000.

ADMINISTRATIVE PROVISION

S. 1401. CENTER FOR FOREIGN LEADERSHIP DEVELOPMENT. (a) IN GENERAL.—Section 313 of the Legislative Branch Appropriations Act, 2001 (Public Law 106–154; 114 Stat. 2783A–120) is amended—

(1) by striking the section heading, by striking “RUSSIAN” and inserting “FOREIGN”;

(2) in subsection (a)—

(A) in paragraph (1), by striking “Russian” and inserting “Foreign”;

(B) in paragraph (2)(D), by striking “United States and Russian relations” and inserting “relations between the United States and eligible foreign states”;

(3) in subsection (b)—

(A) in paragraph (1), by striking “Russia” and inserting “eligible foreign states”;

(B) by striking “Russian national” and inserting “nationals of eligible foreign states”;

(C) in paragraph (3)(B), by striking “3,000” and inserting “3,500”;

(D) by inserting “in subsection (c)(1), by striking “Russian” and inserting “foreign state”; and

(5) by adding at the end the following:

“(1) ELIGIBLE FOREIGN STATE DEFINED.—In this section, the term ‘eligible foreign state’ means—

“(1) any country specified in section 3 of the FREEDOM Support Act (22 U.S.C. 5801); and

“(2) Estonia, Latvia, and Lithuania.”;

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

TITLE II—GENERAL PROVISIONS

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 202. No part of the funds appropriated in this Act shall be available for payment of expenses associated with any Executive Branch service or the computation, transmission, and publication of any payroll or other employee retirement or similar plan that is not funded on a cash basis, or that involves any tax-exempt interest on the investment of any such funds, until after the close of the fiscal year 2003 unless expressly so provided in this Act.

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for or the rate of compensation or designation of any such office or position is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the prevailing rate and designation: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

SEC. 205. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act to pay awards and settlements as authorized under such subsection.

SEC. 206. Amounts available for administrative expenses of the Branch entity which participates in the Legislative Branch Financial Managers Council (LBFMCC) established by charter on March 26, 1996, shall be used to finance an appropriate share of LBFMCC costs as determined by the LBFMCC, except that the total LBFMCC costs to be shared among all participating legislative branches shall be a matter of public record and available for public inspection, except where otherwise provided under existing law.

SEC. 207. Section 316 of Public Law 101–302 is amended in the first sentence of subsection (a) by striking “2002” and inserting “2003”.

SEC. 208. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy area bounded by Washington Avenue, SW on the west, Square 582 on the south, and the beginning of the I–95 tunnel on the southeast.

SEC. 209. UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION. There are appropriated, out of any funds in the Treasury not otherwise appropriated, $1,800,000, to remain available until expended, to carry out title II of the Congressional Review Commission Act, 2001 (Public Law 106–284; 114 Stat. 1286).

SEC. 210. JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT.

SEC. 211. TITLE II OF THE CONGRESSIONAL AWARD ACT.

DIVISION I—TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 2003

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $85,000,000, of which not to exceed $2,201,000 shall be available for the immediate Office of the Secretary; not to exceed $799,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $15,507,000 shall be available for the Office of the General Counsel; not to exceed $11,123,000 shall be available for the Office of the Under Secretary for Transportation Policy, not to exceed $8,375,000 shall be available for the Office of the Assistant Secretary for Budget and Program Analysis; not to exceed $10,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $25,070,000 shall be available for the Office of the Assistant Secretary for Management; not to exceed $1,920,000 shall be available for the Office of the Public Affairs; not to exceed $1,390,000 shall be available for the Office of the Executive Secretariat; not to exceed $611,000 shall be available for the Board of Contract Appeals; not to exceed $1,304,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $11,487,000 shall be available for the Office of the Chief Information Officer: Provided, That not to exceed $600,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,700,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $23,000,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $31,779,000, shall be paid from appropriations available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department of Transportation shall be used to fund the Transportation Administrative Service Center without the approval of the agency modal administrator: Provided further, That no funds appropriated in this Act to an agency of the Department of Transportation shall be made available to the Transportation Administrative Service Center beyond the fiscal year 2003 unless expressly so provided in this Act.
such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER

For the cost of guaranteed loans, $500,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be paid and in accordance with section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which, if so provided, is not to exceed $500,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center, activity $3,000,000, to remain available until September 30, 2004: Provided, That notwithstanding 49 U.S.C. 432, these funds may be used for purposes related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(airport and airway trust fund)

In addition to funds made available from any other source to carry out the essential air service under 49 U.S.C. 14111 through 14712, to be derived from the Airport and Airway Trust Fund, $65,000,000, to remain available until expended.

TRANSPORTATION SECURITY ADMINISTRATION

Salaries and Expenses

For necessary expenses of the Transportation Security Administration related to transportation security services pursuant to Public Law 107-71, $3,346,000,000 of which $55,000,000 shall be derived from a reimbursement from the heading, “Facilities and Equipment”, Federal Aviation Administration for explosives detection systems in this fiscal year, to remain available until September 30, 2004: Provided, That, security service fees authorized under 49 U.S.C. 44940 shall be credited to this appropriation as offsetting collections and used for providing security services authorized by this section: Provided further, That the sum herein appropriated for the Federal Fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2003: Provided further, That any security service fees collected by the Department of Homeland Security and appropriated under this heading shall be treated as offsetting collections in 2004.

COAST GUARD

Operating Expenses

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 3212 as amended by 46 U.S.C. 407-377, as amended by section 407 of the Social Security Act (42 U.S.C. 42b-1); and recreation and welfare, $4,318,456,000, of which $340,000,000 shall be available for defense-related activities; and of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That none of the funds appropriated in this or any other section of this Act shall be available for pay of administrative expenses in connection with shipping commissioners in the United States: Provided further, That none of the funds appropriated in this Act shall be available for pay of administrative expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, repair, modification, improvement, and restoration of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $732,000,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $25,600,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2007; $132,700,000 shall be available for other equipment, to remain available until September 30, 2005; $48,700,000 shall be available for shore facilities and operation of aids to navigation facilities, to remain available until September 30, 2005; $65,000,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 2003; and $480,000,000 shall be available for the Integrated Deepwater Systems program, to remain available until September 30, 2006: Provided, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as offsetting collections and made available only for the National Distress and Response System Modernization program, to remain available for obligation until September 30, 2006: Provided further, That none of the funds provided under this heading may be obligated or expended for the Integrated Deepwater Systems (IDS) system beyond the fiscal year 2004 until the Secretary or Deputy Secretary of Transportation and the Director, Office of Management and Budget jointly certify to the House and Senate Committees on Appropriations that funding for the IDS program for fiscal years 2004 through 2008, funding for the National Distress and Response System Modernization program to allow for full deployment of said system by 2006, and funding for other essential search and rescue procurements, are fully funded in the Coast Guard Capital Investment Plan and within the Office of Management and Budget’s budgetary projections for the Coast Guard for those fiscal years: Provided further, That upon initial submission to the Congress of the fiscal year 2004 President’s budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the United States Coast Guard which includes funding for each budget line item for fiscal years 2004 through 2008, with total funding estimates of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That all appropriations made in this Act shall be reduced by $150,000 per day for each day after initial submission of the President’s budget that the plan has not been submitted to the Congress.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard’s environmental compliance and restoration chapter 19 of title 14, United States Code, $17,000,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructions, including repair and maintenance of aids to navigation, $14,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to retired pay, $899,000,000, to remain available until expended.

payment for career status bonuses under the National Defense Authorization Act, and for payments for medical care of retired personnel and their dependents under the Department of Veterans Affairs Medical Care Act (10 U.S.C. ch. 55), $899,000,000.

RESERVE TRAINING

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance, operations, and operation of supplies, equipment, and services, $86,523,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied research, development, test, and evaluation; not to exceed $84,890,000 shall be available for regional coordination program activities; not to exceed $82,192,000 shall be available for human resources program activities; not to exceed $48,782,000 shall be available for financial services program activities; not to exceed $207,600,000 shall be available for search and acquisition program activities; not to exceed $12,355,000 shall be available for commercial space transportation program activities; not to exceed $48,782,000 shall be available for postal aviation certification testing and development activities; not to exceed $80,260,000 shall be available for human resources program activities; not to exceed $62,192,000 shall be available for regional coordination program activities; not to exceed $81,890,000 shall be available for staff costs; and not to exceed $29,650,000 shall be available for information services: Provided, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate any flight operations rule, which is not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance, operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, flight tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not to exceed $8,000,000 shall be used for the development of an airport tower cost-sharing program: Provided further, That funds may be used to enter into a grant...
agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available to provide funds for the Small Business Transportation Program for fiscal year 2003: Provided further, That none of the funds in this Act shall be available for aircraft maintenance or repair facilities, including aircraft maintenance or repair facilities at airports in the contiguous United States, that are located at a site that was leased or acquired after September 30, 2001.

FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary equipment related to the construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed in facilities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, $2,981,022,000, of which $2,558,455,000 shall remain available until September 30, 2005.

That none of the funds in this Act shall be reduced by $150,000 per day provided further, the Office of Management and Budget:

Provided, That the Secretary to make grants for surface transportation projects, $1,250,000; for transportation projects, $1,000,000; and for data management projects, $2,000,000; for technology research and not more than $81,049,000 of funds limited under section 47117(g) of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineer-

Provided, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States.

That there may be credited to this appropriation from the Federal Aviation Administration employee unless such employee

Provided, That of the funds available under this heading shall be available for the planning or execution of programs for which are in excess of $4,000,000,000 in fiscal year 2003, notwithstanding section 74117(g) of title 49, United States Code: Provided further, That notwithstanding any other provision of law, not less than $20,000,000 shall be for the Small Community Air Service Development Pilot Program.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments out of such funds as are available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended, to enter into contracts under section 47117 of title 49, United States Code, as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses for administration and operation of the Federal Highway Administration, not to exceed $317,732,000, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: Provided, That of the funds available under section 104(a)(1)(A) of title 23, United States Code: $7,500,000 shall be available for "Child Passenger Protection Education Grants" under section 502(a) of Public Law 108-178, as amended; $47,000,000 shall be available for construction of state border safety inspection facilities at the United States-Mexico border; $59,967,000 shall be available for border enforcement activities required by section 350 of Public Law 107-67, and shall remain available until expended; $18,000,000 shall be available, in addition to funds made available by section 330 of this Act, to enable the Secretary to make grants for surface transportation projects, $18,000,000 shall remain available until expended; and $6,000,000 shall be available for environmental stewardship activities, which may include making grants to, or entering into contracts, cooperative agreements, and other transactions, with a Federal agency, State agency, local agency, authority, association, nonprofit or for-profit corporation, or institution of higher education.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs for which are in excess of $31,000,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 2003: Provided, That within the $32,000,000,000 obligation limitation on Intelligent Transportation Systems, the following sums shall be made available for Intelligent Transportation System projects that are designed to achieve the goals and purposes set forth in section 5230 of the Intelligent Transportation Systems Act of 1998 (subtitle C of title V of Public Law 106-178; 112 Stat. 453; 23 U.S.C. 502 note) in the following specified areas:

- Advance Traveler Info. System & Smart Card System, OH, $2,500,000;
- Alaska Statewide: Smart Emergency Medical Access System, $3,000,000;
- Boston Traffic Monitoring & Security Sys-

MASSACHUSETTS, $2,000,000;
- Boise State University, ID, $1,000,000;
- Burlington MultiModal Trans. Center, VT, $1,000,000;
- Center for Injury Sciences at UAB, Crash Notification, AL, $2,000,000;
- Central Florida Regional Trans. Authority, Orange-Seminole ITS, FL, $2,000,000;
- Chattanooga (CARTA) ITS, TN, $1,500,000;
- Coral Gables ITS Project, FL, $1,000,000;
- Coral Reefs Intelligent Transportation Center, Miami, FL, $2,000,000;
- Florida Statewide ITS, $2,000,000;
- Georgia Tech ITS, GA, $2,000,000;
- Georgia Statewide ITS, GA, $1,500,000;
- Idaho Statewide ITS, $2,250,000;
- Illinois Statewide, IL, $4,500,000;
- Iowa Statewide ITS, IA, $1,400,000;
- Kansas City SmartPort, KS, $1,000,000;
- Kansas City SmartPort, MO, $2,000,000;
- Kent, IntraCity Transit Project, WA, $1,500,000;
- Longmont ITS, CO, $2,000,000;
- Maine Statewide, Rural Advanced Traveler Info. System, ME, $2,000,000;
- Maryland Statewide ITS, $2,000,000;
- Maryland Statewide Rural ITS, MD, $2,000,000;
- Mississippi ITS, MS, $1,500,000;
- Missouri Statewide ITS, MO, $2,000,000;
- NDSU Advanced Traffic Analysis Center, ND, $1,000,000;
- Nebraska Statewide ITS, $5,000,000;
- New Bedford ITS Port Information Center, MA, $1,000,000;
- Oklahoma Statewide ITS, $7,000,000;
- Pennsylvania Turnpike Commis-

sion, PA, $5,000,000;
- Program of Projects, WA, $5,500,000;
- Providence Transportation Information Center, RI, $2,000,000;
- Sacramento Area Council of Governments, ITS, CA, $1,000,000;
- Shreveport ITS Project, LA, $1,000,000;
- SC-DRS Statewide ITS, $5,000,000;
- SR-68/Riverside Dr. ITS, Espanola, NM, $475,000;
- Surface Transportation Institute, Univ. of North Dakota, ND, $1,000,000;
- T-REX Southeast Corridor Multi-Modal Project, CO, $9,000,000;
- Tucson ER-LINK ITS project, AZ, $1,250,000;
- Univ. of Nebraska Lincoln, SMART Trans-

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January 15, 2003

CONGRESSIONAL RECORD — SENATE

S955

Vermont Statewide Rural Advanced Traveler System, VT, $1,500,000;
Vermont Variable Message Signs, VT, $1,000,000;
Washington, DC Metro ITS, $4,000,000;
Northern Virginia ITS, VA, $1,000,000; and
Wisconsin State Patrol Mobile Data Communications Network, $2,000,000.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

HIGHWAY TRUST FUND

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Highway System, the operations of the Federal Motor Carrier Safety Administration, and the national responsibilities of the Department of Transportation’s Office of the Secretary, any funds made available under 23 U.S.C. 308, $32,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

APPELLACHIAN DEVELOPMENT HIGHWAY SYSTEM

For necessary expenses for the Appalachian Development Highway System as authorized under section 106(b)(1) of Public Law 102-240, $2,500,000,000, to remain available until expended.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses for administration of motor carrier safety programs and motor carrier safety research, pursuant to section 104(a)(1)(B) of title 23, United States Code, not to exceed $117,461,000,000 shall be paid in accordance with applicable appropriations made available by this Act and from any available take-down balances to the Federal Motor Carrier Safety Administration, together with accrued reimbursements received by the Federal Motor Carrier Safety Administration: Provided, That such amounts shall be available to carry out the functions and operations of the Federal Motor Carrier Safety Administration.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

HIGHWAY TRUST FUND

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000,000, to the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2003, are in excess of $72,000,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $2,000,000,000, to be derived from the Highway Trust Fund, and to remain available until expended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

HIGHWAY TRUST FUND

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, and 410, to remain available until expended, $225,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2003, are in excess of $225,000,000,000 for programs authorized under 23 U.S.C. 402, 405, and 410, of which $165,000,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402, $50,000,000 shall be for “Occupant Protection Programs” under 23 U.S.C. 405, and $40,000,000 shall be for “Alcohol-Impaired Driving Countermeasures Grants” under 23 U.S.C. 410: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: Provided further, That not to exceed $8,156,000,000 of the funds made available for section 402, not to exceed $1,000,000,000 of the funds made available for section 405, and not to exceed $2,000,000 of the funds made available for section 410 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code, section 408(f), and such sums as may be necessary to discharge the functions of the Secretary with respect to a grading standard that is different from the grading standard determined to be a reasonable and appropriate standard (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

LIMITATION ON OBLIGATIONS

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000,000, to the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2003, are in excess of $72,000,000,000 for programs authorized under 23 U.S.C. 403.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, $25,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation, $826,476,000, to remain available until expended, of which not more than $521,476,000 is available until subseqent to the Secretary by the enactment of legislation reauthorizing the National Railroad Passenger Corporation.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration, programs authorized by chapter 53 of title 49, United States Code, $14,600,000: Provided, That no more than $73,000,000 of budget authority shall be available for these purposes: Provided further, That no more than $3,839,000,000 of budget authority shall be available for these purposes: Provided further, That not to exceed $2,600,000,000 for the National transit database shall remain available until expended.

FORMULA GRANTS

INCLUDING TRANSFER OF FUNDS

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5312, and 5327, and section 3538 of Public Law 105-178, $767,800,000, to remain available until expended: Provided, That not more than $3,839,000,000 of budget authority shall be available for these purposes: Provided further, That not to exceed $2,600,000,000 for the National transit database shall remain available until expended.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available until expended: Provided, That no more than $60,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5305, 5307, 5308, 5310, 5311, 5312, and 5327, and section 3538 of Public Law 105-178, $767,800,000, to remain available until expended: Provided, That no more than $3,839,000,000 of budget authority shall be available for these purposes: Provided further, That not to exceed $2,600,000,000 for the National transit database shall remain available until expended.
carry out programs under the National Transit Institute (49 U.S.C. 5315), $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5315(a)), $60,385,000 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305), $12,614,400 is available for State planning (49 U.S.C. 5313(b)); and $31,500,000 is available for the national planning and research program (49 U.S.C. 5314).

**Trust Fund Share of Expenses (Liquidation of Contract Authorization) (Highway Trust Fund)**

Notwithstanding any other provision of law, no payment of obligations incurred in carrying out 49 U.S.C. 5308-5308a, 5310-5315, 5317(b), 5322, 5327, 5334, 5350, and sections 3037 and 3038 of Public Law 101-166, $5,781,000,000, to remain available until expended, as derived from the Mass Transit Account of the Highway Trust Fund: Provided, That $3,071,200,000 shall be paid to the Federal Transit Authority for capital formula grants: Provided further, That $97,800,000 shall be paid to the Federal Transit Administration’s transit’s transit planning and research account: Provided further, That no more than $3,036,000,000 of budget authority shall be available for these purposes: Provided further, That there shall be available for fixed guideway modernization, $1,214,400,000, together with $50,000,000 transferred from “Federal Transit Administration, Formula Grants” and $1,214,400,000, together with $50,000,000 transferred from the Job Access and Reverse Commute Grants Program account: Provided further, That $2,428,800,000 shall be paid to the Federal Transit Administration’s capital investment grants account.

**Capital Investment Grants (Including Transfer of Funds)**

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $607,200,000, to remain available until expended: Provided, That no more than $5,000,000,000 of budget authority shall be available for these purposes: Provided further, That there shall be available for fixed guideway modernization, $1,214,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $607,200,000; and $1,214,400,000 for surface transportation projects: Provided further, That $50,000,000 may be used to be provided for the Surface Transportation Board and to be made available to the Surface Transportation Board: Provided further, That $120,000,000 shall be paid to the Federal Transit Administration’s job access and reverse commute grants program: Provided further, That $2,428,800,000 shall be paid to the Federal Transit Administration’s capital investment grants account: Provided further, That $2,428,800,000 shall be paid to the Federal Transit Administration’s job access and reverse commute grants program: Provided further, That $50,000,000 may be credited to this appropriation, to be made available to the Surface Transportation Board and to be made available to the Surface Transportation Board: Provided further, That there shall be available for capital projects, $120,000,000.

**Emergency Preparedness Fund**

Notwithstanding any other provision of law, no payment of obligations incurred in carrying out 49 U.S.C. 5127(c), $200,000,000, is available until expended: Provided, That no more than $150,000,000 of budget authority shall be available for these purposes: Provided further, That up to $300,000 of the funds provided under this heading may be used by the Federal Transit Administration for technical assistance and support and performance reviews of the Job Access and Reverse Commute Grants Program. Provided further, That $25,000,000 shall be transferred to and merged with funds for new fixed guideway systems under the Federal Transit Administration’s Capital Investment Grant Account.

**Saint Lawrence Seaway Development Corporation**

Saint Lawrence Seaway Development Corporation

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary or advisable for the maintenance and operation of the Saint Lawrence Seaway and other activities performed by the Corporation.

**Operation and Maintenance (Harbor Maintenance Trust Fund)**

For necessary expenses to carry out the construction, operation, and maintenance of the navigational aids and equipment of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $13,945,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

**Research and Special Programs Administration**

**Research and Special Programs**

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $43,725,000, of which $645,000 shall be derived from the Pipeline Safety Fund, and of which $3,412,000 shall remain available until September 30, 2005: Provided, That $1,200,000 in fees collected under 49 U.S.C. 5108(c) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be made available until expended, funds received from States, counties, municipalities, and other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performing hazardous materials exemptions and approvals functions.

**Pipeline Safety (Pipeline Safety Fund)**

For expenses necessary to carry out the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Department of Transportation, $63,857,000, of which $7,472,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2006, and $56,385,000 shall be derived from the Pipeline Safety Fund, of which $24,823,000 shall remain available until September 30, 2005.

**Emergency Preparedness Grants (Emergency Preparedness Fund)**

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2005: Provided, That no more than $150,000,000 of budget authority shall be available for these purposes: Provided further, That up to $300,000 of the funds provided under this heading may be used by the Federal Transit Administration for technical assistance and support and performance reviews of the Job Access and Reverse Commute Grants Program. Provided further, That $25,000,000 shall be transferred to and merged with funds for new fixed guideway systems under the Federal Transit Administration’s Capital Investment Grant Account.
516(1) and 512(d); Provided further, That none of the funds made available by 49 U.S.C. 516(1) and 512(d) shall be made available for obligation by individuals other than the Secretary, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $57,221,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. 5901-5902), to investigate allegations of fraud, including false statements to the government, by any person or entity that is subject to regulation by the Department: Provided further, That the funds made available under this heading shall be used to investigate, pursuant to section 4172 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this provision.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3108, $19,450,000: Provided, That notwithstanding any other provision of law, not to exceed $1,000,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the funds herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2003, to result in a final appropriation from the general fund estimated at no more than $18,450,000.

TITLe II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $5,194,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services of U.S. Attorneys; and all other necessary expenses, including $1,000,000 for payment of claims covering liability insurance for motor vehicles operating in foreign countries on official duty, $72,500,000, of which not to exceed $2,000,000 may be used for official reception and representation expenses.

TITLe III

GENERAL PROVISIONS

INCLUDING TRANSFER OF FUNDS

S. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger and cargo aircraft; and the purchase of liability insurance for motor vehicles operating in foreign countries on official duty.

S. 302. Such sums as may be necessary for fiscal-year appropriations to be made available by this Act shall be available with the levels appropriated in this Act or previous appropriations Acts.

S. 303. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by law (5 U.S.C. 3109) for fiscal years not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

S. 304. None of the funds in this Act shall be available to compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

S. 305. None of the funds in this Act shall be used for the planning or execution of any new program to publicize, provide for public review, or other similar activities to which paragraph (1) of section 105 of title 23, United States Code (relating to minimum guarantee) so that the amount of obligation available for each of such sections is equal to the amount multiplied by the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 152, $2,000,000,000 for such fiscal year, and (5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) of section 117 of title 23, United States Code (relating to high priority assurance program), section 181(b) of the Appalachian Regional Development Act of 1965, the Woodrow Wilson Memorial Bridge Authority Act of 1985, and $2,000,000,000 for such fiscal year.

S. 306. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year.

S. 307. The expenditure of any appropriation under this Act for any consulting service to be provided pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and are properly accounted for, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

S. 308. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

S. 309. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

S. 310. (a) For fiscal year 2003, the Secretary of Transportation shall—

(1) not distribute an obligation limitation for Federal-aid Highways amounts authorized for administrative expenses and programs funded from the administrative take-

(2) authorize Federal-aid Highways less the aggregate amounts not distributed under paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guar- 

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2) of section 117 of title 23, United States Code (relating to high priority assurance program), section 181(b) of the Appalachian Regional Development Act of 1965, the Woodrow Wilson Memorial Bridge Authority Act of 1985, and $2,000,000,000 for such fiscal year.

(c) Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount apportioned during that fiscal year and redistribute sufficient amounts to those States that are able to obligate amounts in addition to those programs apportioned during that fiscal year giving priority to those States having large unobligated balances of funds apportioned...

(d) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(e) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(f) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(g) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(h) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(i) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(j) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(k) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(l) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(m) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(n) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(o) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(p) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(q) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(r) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(s) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(t) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(u) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(v) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(w) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(x) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(y) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

(z) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and to any capital investments and capital improvements provided under subsection (a), the Secretary shall not obligate any amount in excess of the amount made available for such programs under such limitation.

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Secretary of Transportation to make grants: 178, which amended section 1105(c) of the law, the Secretary shall approve the use of funds apportioned under sections 104(b)(1) and 104(b)(3) of title 23, United States Code at the following location in Georgia: On the West Side of GA 400 from the Glenridge Connector to Northland Drive.

(322) Notwithstanding any other provision of law, the Secretary of Transportation shall approve the use of funds apportioned under paragraphs (1) and (3) of section 104(b) of title 23, United States Code, for the construction of Type II noise barriers on the West side of GA 400 from the Glenridge Connector to Northland Drive.

(323) Notwithstanding any other provision of law, the Secretary of Transportation shall approve the use of funds apportioned under section 1221 of Public Law 105-178 and before any grant award letter of intent, or full grant award letter of intent, for funding totaling $10,000 or more is announced by the department or its modal administrations from any discretionary grant program within the Department of Transportation, the department shall involve funds that are not available for obligation.

(333) Of the funds provided in section 101(a)(2) of Public Law 107-42, $77,100,000 are rescinded.

(343) (a) The Secretary of Transportation shall enter into an agreement with the National Academy of Sciences and the National Academy of Engineering to conduct a study of the procedures by which the Department of Energy, together with the Department of Transportation and the Nuclear Regulatory Commission, selects routes for the shipment of spent nuclear fuel between or among existing Department of Energy facilities currently licensed to accept such spent nuclear fuel.

(b) In conducting the study under subsection (a), the National Academy of Sciences shall analyze the manner in which the Department of Energy facilitates the timely processing, the safe and efficient movement of spent nuclear fuel along such a route.

(c) The analysis under subsection (b) shall include a consideration whether, and to what extent, the costs of shipments of spent nuclear fuel from research nuclear reactors between or among existing Department of Energy facilities currently licensed to accept such spent nuclear fuel, and (d) The Secretary of Transportation shall, by grant, reimburse the City of Escanaba, Michigan, for the costs incurred by the City for the repair of the north wall of the municipal dock, Escanaba, Michigan, a facility used by the Coast Guard.

(357) For the purpose of any applicable law, the Secretary shall, for the purpose of facilitating the timely processing, review, and completion of environmental activities associated with such projects, the (a) In General—Notwithstanding any other provision of subsection B of title I of Public Law 107-471 of the Secretary of Transportation notifies the House and Senate Committees on Appropriations not later than 30 days after the date of the enactment of this Act.

(368) For an airport project that the Administrator of the Federal Aviation Administration (FAA) determines will add critical airport capacity to the national air transportation system, the Administrator is authorized to accept funds from an airport sponsor, including entitlement funds provided under the “Grants-in-Aid for Airports” program, for the FAA to hire additional staff or obtain the services of consultants: Provided, That the Administrator is authorized to use funds provided under this section for the purpose of facilitating the timely processing, review, and completion of environmental activities associated with such projects.

(369) (a) General—Notwithstanding any other provision of subsection 1 of Chapter 471 of title 49, the Secretary of Transportation shall provide grants under subchapter I of chapter 471 to air traffic control tower that will assist in air traffic control equipment to be used in the air traffic control tower that will assist in serving or improving the safe and effi cient movement of air traffic.
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(b) ELIGIBILITY.—The sponsor shall be eligible for a grant under this section if—

(1) the sponsor would otherwise be eligible to participate in the pilot program established under section 1042(b) of title 23, except for the lack of the air traffic control tower proposed to be constructed under this section; and

(2) the sponsor agrees to fund not less than 10 percent of the costs of construction of the air traffic control tower.

(c) PROJECT COST LIMITATIONS.—Under this act the sponsor shall not be paid only from amounts apportioned to the sponsor or for airports in the state under section 47114(d) of title 49, United States Code.

(d) FEDERAL SHARE.—The Federal share of the cost of construction of an air traffic control tower under this section may not exceed $1,800,000.

S3. 340. Notwithstanding any other provision of law, States may use funds provided in this Act under Section 402 of title 23, United States Code, to produce and place highway safety public service messages in television, radio, cinema, and print media, and on the Internet in accordance with guidance issued by the Secretary of Transportation: Provided, That any state that uses funds for such public service messages shall submit to the Secretary a report describing and assessing the effectiveness of such messages: Provided further, That $10,000,000 of the funds allocated for innovative seat belt projects under section 157 of title 23, United States Code, and $10,000,000 of the amount allocated under section 410 of title 23, United States Code, shall be used as directed by the National Highway Traffic Safety Administrator, to purchase advertising media to support the national mobilizations conducted in all fifty states, aimed at increasing seat belt use and reducing impaired driving.

S3. 341. In the process of entering into joint public-private partnerships and other cooperative arrangements for the performance of work, the Coast Guard Yard and other Coast Guard specialized facilities designated by the Commandant may enter into agreements or other arrangements, receive and retain funds from and pay funds to such public and private entities, and may accept contributions of funds, materials, services, and the use of facilities from such entities: Provided, That such agreements and other arrangements may be the subject of entered into pursuant to section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181 et seq.), and such arrangements may be subject to the terms and conditions established in section 202(b) of title 23, United States Code.

S3. 342. None of the funds in this Act may be obligated or used to enter into an agreement with the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds apportioned to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congress.

S3. 343. Insert the following new section at the end of chapter 53 of Title 49, United States Code:

"SEC. . Effective for funds not yet expended on the effective date of this section, the federal share for funds under this chapter for a grantee named in section 603(14) of Public Law 97–468 shall be the same as the federal share under 23 U.S.C. section 120(b) for federal aid highway funds apportioned to the state in which the transportation is located under the Transportation Equity Act for the 21st Century: Provided, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account included in each account for the Transportation Administration Service Center.

S3. 345. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–56.

S3. 351. (a) Notwithstanding any other provision of law, and subject to the requirements of this section, the Secretary of Transportation is authorized to waive any of the terms, conditions, reservations, and restrictions contained in the deeds of conveyance and subsequent corrections to the deeds or other evidence under which the United States conveyed certain property to Gadsden, Alabama, for airport purposes.

(b) No waiver may be granted under subsection (a) if the waiver would result in the closure of an airport.

(c) Any waiver granted by the Secretary of Transportation under subsection (a) shall be subject to the following conditions:

(1) Gadsden, Alabama, shall agree that in selling, leasing, or conveying any interest in, the property for which a waiver is granted under subsection (a), the amount received by the city shall be used for the development, improvement, operation, or maintenance of the Gadsden Municipal Airport.

(2) The city will dedicate to the airport fund that supports the Gadsden Municipal Airport an amount which is the fair market value or the fair lease value of the property or balance of funds applicable to the property, as the case may be, of the property for which waivers are granted under subsection (a) unless the airport property was the subject of a taking and condemnation by the federal government.

S3. 354. Section 342 of the Department of Transportation and Related Agencies Appropriations Act, 1991 (23 U.S.C. 127 note; Public Law 102–240) is amended—

(1) in the subsection heading, by inserting "OVER-THE-ROAD BUSES AND" before "PUBLIC"; and

(2) in paragraph (1), by striking "to any vehicle which" and inserting the following: "to—"

"(A) any over-the-road bus (as defined in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181)); or

"(B) any vehicle that"

S3. 355. Notwithstanding any other provision of law, funds made available for construction of roads and bridges that provide access to the Rose Bluff industrial area, Lake Charles, Louisiana, under section 149(a)(87) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 194; 109 Stat. 607) and item 17 of the table contained in section 1106(a)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2038) shall be made available for the project in Lake Charles, Louisiana, consisting of the extension of Nelson Access Road to the Port of Lake Charles as described in item 156 of the table contained in section 162 of the Transportation Equity Act for the 21st Century (112 Stat. 315),

(2) reconstruction of Cove Lane; and

(3) planning, design, and construction of Port Access Road.

S3. 344. Section 342 of the Department of Transportation and Related Agencies Appropriations Act, 2002, is amended by striking "(i) the ferry to serve Kitsap and King Counties to Seattle" and inserting "Ferry/tunnel project in Bremerton, Washington;"

S3. 353. Section 343 of the Department of Transportation and Related Agencies Appropriations Act, 2002, is amended by striking...
“Passenger only ferry to serve Kitsap and King Counties to Seattle” and inserting “Ferry/tunnel project in Bremerton, Washington”.

Since 1996, in addition to amounts otherwise made available by this Act, there is hereby appropriated $3,500,000, to remain available until expended, to enable the Secretary to maintain the Bremerton Midway Field airfield for a period of not less than one year beyond the date at which the U.S. Fish and Wildlife Service ceases said operations.

This Act is cited as the “Department of Transportation and Related Agencies Appropriations Act, 2003”.

DIVISION J—TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS, 2003

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices, including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and protection of, real and personal property, including all support services for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $3,813,000, to remain available until expended for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $35,424,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 5113(b)); services authorized by U.S.C. 3109, of which not to exceed $150,000 may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $123,962,000.

AIR TRANSPORTATION STABILIZATION PROGRAM

For necessary expenses to enter into the Air Transportation Stabilization Board established by section 102 of the Air Transportation Safety and System Stabilization Act (Public Law 109–341), $101,041,000, to remain available until expended.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $90,052,000, to remain available until expended.

EXPANDED ACCESS TO FINANCIAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

To develop and implement programs to expand access to financial services for low- and moderate-income individuals, $2,000,000, such amounts as may be necessary may be transferred to accounts of the Department’s offices, bureaus, and other organizations; Provided, That these funds shall be available to enable Federal agencies, on a non-reimbursable basis, to staff the accreditation function; Provided further, That notwithstanding any other provision of law, students attending training at any Center site shall reside in on-Center dormitories or other suitable accommodations as available and in accordance with Center policy; Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for training the United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs; training of Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; and to exceed $4,000,000 for official travel expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $50,517,000, of which not to exceed $3,400,000 shall remain available until September 30, 2005, and of which $3,338,000 shall remain available until September 30, 2004: Provided, That funds appropriated in this account may be used to procure personal services contracts.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed $2,000,000 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniform repairs, and catalog expenses; not to exceed $110,000 for official travel expenses; and not to exceed $1,700,000 for official reception and representation expenses; room and board costs for student interns; and services as authorized by U.S.C. 3109; $126,560,000, of which $650,000 shall be available for an interagency effort to establish written standards on accreditation of Federal law enforcement training; and of which not to exceed $2,266,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2004, and of which not to exceed $10,000 of the $2,266,000 also shall be available for travel, room and board costs for participating agency basic training during the first quarter of a fiscal year, subject to full reimbursement by the benefitting agency: Provided, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to an active-duty or Reserve or National Guard student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded by gifts of property or services, and shall not exceed $50,000; and of which not to exceed $6,000,000 may be transferred to accounts of the Department’s offices, bureaus, and other organizations; Provided further, That none of the amounts made available by this Act shall be used for purposes which shall be awarded annually to any other person; and of which not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury, $2,500 shall be available for official reception and representation expenses; for necessary expenses of the Offic
course development meetings and training sponsored by the Center: Provided further, That the Center is authorized to obligate funds in anticipation of reimbursements from such training and for services provided by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That the Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: Provided further, That the Center is authorized to provide short-term medical services and training to students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $32,029,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary to conduct investigations and convict offenders involved in organized criminal activity, including State and local law enforcement agencies, in cooperative efforts with State and local law enforcement, as it relates to the Treasury Department law enforcement violations such as money laundering, violent crime, and smuggling, $107,576,000.

FINANCIAL MANAGEMENT SERVICE SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $220,664,000, of which not to exceed $2,000,000 shall remain available until September 30, 2005, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, and Firearms, including purchase of not to exceed 622 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles, airport transportation and facilities, services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees whose investigative assignments require an employee to work 18 hours or more per day or to remain overnight at his or her post of duty; not to exceed $20,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the acquisition of canine law enforcement services; and provision of laboratory assistance to State and local agencies, with or without reimbursement, $188,430,000, of which not to exceed $2,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); of which up to $2,000,000 shall be available for the equipping of any vehicle, equipment, transportation, aircraft available in the custom of official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco, and Firearms, and for the payment of overtime salaries including Social Security and Medicare, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco, and Firearms; of which $13,000,000, to remain available until expended, shall be available for disbursements through 30 agreements or contracts to local governments for Gang Resistance Education and Training; and of which $3,200,000 for a new headquarters shall remain available until expended, 2004: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses with consolidated or centralized, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation and reimbursement, including training in connection with the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or reliefs" in 27 CFR 1.11 of item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That no funds under this Act may be used to electronically match personal information gathered pursuant to 18 U.S.C. 922(g)(4) by name or any personal identification code.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,500 motor vehicles of which 550 are for replacement only and of which 1,450 are for police or support use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act for compensation of informers, as approved by the United States Customs Service, $2,501,488,000, of which not to exceed $2,500 shall be available in the Customs User Fee Account, except sums subject to section 13031(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985, shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for temporary space in connection with the United States to implement any amendments and other related expenses, $177,829,000, which shall remain available until expended: Provided, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the United States Customs Service prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; and including OMB Circular A-11, part 3; (2) complies with the acquisition policies, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Customs Import Review Board, the Department of the Treasury, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: Provided further, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.

AUTOMATION MODERNIZATION

For expenses not otherwise provided for, $453,352,000, to remain available until expended, of which not less than $312,900,000 shall be for the development of the Automated Commercial Environment: Provided, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the United States Customs Service prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A-11, part 3; (2) complies with the acquisition policies, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Customs Import Review Board, the Department of the Treasury, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: Provided further, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective
services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2003 under such section shall not exceed $34,900,000.

DEPARTMENT OF THE PUBLIC DEBT
ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $195,473,000, of which not to exceed $2,450,000 shall be available for official reception and representation, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and review requirements established by the Office of Management and Budget, including Circular A–11 part 3; (2) complies with the Internal Revenue Service’s enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service’s enterprise life cycle methodology; (4) is approved by the Commissioner, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, and guidelines, and systems acquisition management practices of the Federal Government.

INTERNAL REVENUE SERVICE
PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,632,444,000, which shall remain available until September 30, 2004.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service to remain available until September 30, 2005, for the capital asset acquisition of information technology systems, including management and related control over system acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and review requirements established by the Office of Management and Budget, and including Circular A–11 part 3; (2) complies with the Internal Revenue Service’s enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service’s enterprise life cycle methodology; (4) is approved by the Commissioner, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, and guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers’ rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available to operate facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to develop, implement, and operate the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed $60,000,000, of which not to exceed $2,000,000 shall remain available until September 30, 2005, for research, and of which $60,000,000 shall be used to combat abusive tax shelters.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives, $146,000,000, of which not to exceed $10,000,000 shall be available for reimbursement to the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational systems for the Internal Revenue Service, such as for computer-based vehicle and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,632,444,000, which shall remain available until September 30, 2004.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $3,519,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal law enforcement organization in accordance with section 105 of the Federal Alcohol Administration Act shall be expended in a manner so as not to exceed $2,000,000 shall remain available until September 30, 2003, shall be made in compliance with reprogramming guidelines.

SEC. 111. Appropriations to the Department of State, in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of passenger motor vehicles of the United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations.

SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2003 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to exceed $2,000,000 shall remain available until September 30, 2003, shall be made in compliance with reprogramming guidelines.

SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, Interagency Crime and Drug Enforcement, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to
the Departmental Offices—Salaries and Expenses, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Fiscal Service may be transferred to the Treasury Department Appropriations Act, Fund'', as amended by section 120 of the

cal law enforcement training programs, facilties, and instructors.

Training Center is directed to establish an

do not inquire whether the passenger had

made available by this Act may be used for

the Senate Committee on Banking, Housing,

House Committee on Financial Services and

other Act may be used by the United States

otherwise made available by this or any

105–119 (5 U.S.C. 3104 note), is further amend-

cover the costs of debt collection:

the Debt Services Account as necessary to

may transfer funds from ''Salaries and Ex-

sign the $1 Federal Reserve note.

this Act or otherwise available to the De-

propriation made available in this Act to the

funds appropriated to ''Departmental Of-

the Treasury Inspector General for Tax

sic. The purposes for which obligations of

Canada in border in which United States Cus-

tom officers can inspect vehicles entering the United States from Canada before they enter the United States, or Canadian cus-

toms officers can inspect vehicles entering Canada from the United States before they enter Canada.

(2) ensure that United States Customs offi-

cers stationed in any IBIA on the Canadian side of the border, shall be afforded the same privi-

The purpose of this body will be to

principles:

To the extent consistent with the na-

tional security of the United States, the spe-

that led to the decision to deny the appli-

The name, phone number, and e-mail

address of the Office representative in a posi-

To discuss the issues with the applicant,

(3) The above-outlined procedures shall be

SEC. 125. (a) The Commissioner of Customs, in consultation with the Canadian Customs and Revenue Agency (CCRA), shall seek to

set up the Integrated Border Inspection Areas

by Canada.

United States side of the border to exercise the au-

with Canada permitting Canadian customs

States side of the border are vested with the max-

imum authority to carry out their duties

United States law; and

encourage appropriate officials of the United States to enter into an agreement

with Canada permitting Canadian customs officers stationed in an IBIA on the

United States side of the border to exercise the au-

thority to enforce Canadian law as permitted by Canada.

(c) United States Customs officers sta-

tioned in an IBIA, on the Canadian side of the border, shall be afforded the same privi-

ileges and immunities for the performance of their duties as they would enjoy if they were stationed in the United States. Canadian customs officers stationed in an IBIA on the

United States side of the border, shall be af-

forded the same privileges and immunities for the performance of their duties as they

would enjoy if they were stationed in Canada.

SEC. 122. The Federal Law Enforcement Training Center is directed to establish an

ing the quality and effectiveness of Fed-

eral law enforcement training programs, fa-

cilities, and instructors.

SEC. 123. The Treasury Department Appro-

priations Act, 1997 (as contained in section

101(f) of Division A of Public Law 104–208), under the heading "Treasury Franchise

Fund", as amended by section 120 of the

Treasury Department Appropriations Act, 2001 (enacted pursuant to section 1(a)(3) of

Public Law 106–554), is further amended by

striking "until October 1, 2002".

SEC. 124. LICENSE PROCEDURES FOR OFFICE OF FOREIGN ASSETS CONTROL. Notwith-

standing provision of law, all obligations of the funds appropriated to "Departmental Off-

ces, Salaries and Expenses" for use by the Office of Foreign Assets Control may be ex-

pended without further notification of the

respective Treasury bureau is consistent

with Departmental vehicle management

principles:

To the extent consistent with the na-

tional security of the United States, the spe-

considerations that led to the decision to deny the appli-

(2) The purposes for which obligations of the United States may be issued under chapter 31 of Title 31 are hereby extended to au-

thorize the issuance of all obligations of any nature on account of this section may be

covered on account of this section may be

in consultation with the CCRA, shall endeavor to—

(1) locate IBIA in an area with bridges or
tunnels with high traffic volume, significant
commercial activity, and that have experi-

enced backups and delays since September 11, 2001;

(2) ensure that United States Customs offi-
cers stationed in any IBIA on the Canadian side of the border, shall be afforded the same privi-

lures and immunities for the performance of their duties as they would enjoy if they were stationed in Canada. Canadian customs officers stationed in an IBIA on the

United States side of the border, shall be af-

forded the same privileges and immunities for the performance of their duties as they

would enjoy if they were stationed in Canada.

SEC. 126. AMENDMENT TO JOHN C. STENNIS CENTER FOR NON-FACULTY TRAINING AND DEVELOPMENT ACT.—For fiscal year 2003 and thereafter, section 116 of the John C. Stennis Center for Public Service Training and De-

velopment Act (2 U.S.C. 1105) is amended—

(1) by striking subsection (b) and inserting the following:

"(c) SALE OF OBLIGATIONS ACQUIRED BY FUND.—At the request of the Trust Fund, the

Secretary of the Treasury may direct the

Secretary of the Treasury to invest in full the amounts ap-

propriated and contributed to the fund. Such investments may be made only in interest-

bearing obligations of the United States issued directly to the fund. Such special obliga-

tions shall bear interest at a rate equal to the average rate of interest, computed as to the

to the end of the calendar month next pre-

ceding the date of such issue, borne by all

marketable interest-bearing obligations of the United States then forming a part of the

public debt; except that where such average

rate is a multiple of one-eighth of 1 per

cent, the rate of interest of such special obligations shall be the multiple of one-

eighth of 1 per cent next lower than such average rate. All requests of the Center to the

Secretary of the Treasury for in accordance with this section shall be binding upon the

Secretary.;”;

and

(2) by striking subsection (c) and inserting the fol-

lowing:

"(c) AUTHORITY TO SELL OBLIGATIONS.—At the request of the Center, the Secretary of the Treasury shall redeem any obligation issued directly to the fund. Obligations issued to the fund under subsection (b)(2) shall be redeemed at par plus accrued inter-

est. Any other obligations issued directly to the fund shall be redeemed at the market

price.;”.

SEC. 127. AMENDMENT TO JAMES MADISON MEMORIAL FELLOWSHIP ACT FOR FISCAL YEAR 2003 AND THEREAFTER, section 811 of the James Madison Memorial Fellowship Act (20 U.S.C. 4510) is amended—

(1) by striking subsection (b)(2) and inserting the following:

"(b) INVESTMENT OF AMOUNTS APPRO-

PRIATED.—

"(1) At the request of the Trust Fund, it

shall be the duty of the Secretary of the

Treasury to invest in full the amounts ap-

propriated and contributed to the fund. Such investments may be made only in interest-

bearing obligations of the United States issued directly to the fund. Such special obliga-

tions shall bear interest at a rate equal to the average rate of interest, computed as to the

to the end of the calendar month next pre-

ceding the date of such issue, borne by all

marketable interest-bearing obligations of the United States then forming a part of the

public debt; except that where such average

rate is a multiple of one-eighth of 1 per

cent, the rate of interest of such special obligations shall be the multiple of one-

eighth of 1 per cent next lower than such average rate. All requests of the Center to the

Secretary of the Treasury for in accordance with this section shall be binding upon the

Secretary.;”;

and

(2) by striking subsection (c) and inserting the fol-

lowing:

"(c) SALE OF OBLIGATIONS ACQUIRED BY FUND.—At the request of the Trust Fund, the

Secretary of the Treasury may direct the

Secretary of the Treasury to invest in full the amounts ap-

propriated and contributed to the fund. Such investments may be made only in interest-

bearing obligations of the United States issued directly to the fund. Obligations issued to the fund under subsection (b)(2) shall be redeemed at par plus accrued inter-

est. Any other obligations issued directly to the fund shall be redeemed at the market

price.;”.

SEC. 128. Until such time as the Secretary of the Treasury determines that there are no alcohol excise taxes levied by Puerto Rico that discriminate against brewers and distillers that are not located in Puerto Rico, none of the funds made available by this or any other Act may be used to implement or administer transfers into the Treasury of Puerto Rico under section 7652 of the Inter-

nal Revenue Code of 1986 in connection with rum. In the event that the Secretary makes such a determination, amounts not trans-

ferred or credited later, with retro-

active effect.
This title may be cited as the “Treasury Department Appropriations Act, 2003”.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FOR REIMBURSABLE OPERATING EXPENSES FOR MAIL DELIVERY AND MAIL BOXES

For payment to the Postal Service Fund for reimbursement for free and reduced rate mail pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $65,014,000, of which $31,014,000 shall not be available after September 30, 2003: Provided, That mail for overseas voting and mail for the blind shall continue to be: Provided further, That 6-day delivery and rural delivery shall continue at least to the level below the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2003.

This title may be cited as the “Postal Service Appropriations Act, 2003”.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unexpended balances shall be transferred to the Treasury pursuant to section 1552 of title 31, United States Code: Provided further, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $19,000 for official expenses as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; $50,000 per annum as authorized by 3 U.S.C. 107, and hire of passenger motor vehicles, $70,128,000, of which $16,775,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President: Provided, That the Executive Office of the President shall submit a report to the Committees on Appropriations that: (1) includes an Enterprise Architecture, as defined in OMB Circular A-130 and the Federal Chief Information Officers Council guidance; (2) presents an Information Technology (IT) Human Capital Plan, to include an inventory of current IT workforce knowledge and skills, a definition of needed IT knowledge and skills analysis of any shortfalls, and a plan for addressing any shortfalls; (3) presents a capital investment plan for implementing the Enterprise Architecture; (4) includes a description of the IT capital planning and investment control process; and (5) is reviewed and approved by the Office of Management and Budget, is reviewed by the General Accounting Office, and is approved by the Committees on Appropriations.

OFFICE OF HOMELAND SECURITY

SALARIES AND EXPENSES

For necessary expenses of the Office of Homeland Security, pursuant to Executive Order 13288, $21,844,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, furnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,228,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sum or sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owning such property, and any money not collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall require each such expense as political or nonpolitical: Provided further, That the Executive Residence shall maintain an expense account for each such expense as political or nonpolitical, and the portion of each such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to such amount shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $1,066,000.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned duties, $500,000, to be charged against funds authorized to the Vice President to be made available under title 39, United States Code, $70,752,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of chapter 35 of title 41, United States Code, and of which not to exceed $3,000,000 shall be available for official representation expenses: Provided, That, as provided in 3 U.S.C. 130(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any...
agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.). Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except by officials of the Office of Management and Budget, before the Committee on Appropriations or the Committees on Veterans’ Affairs or their subcommittees. Provided further, That the printing and mailing of the fiscal year 2002 budget request levels unless the Director submits to the Committees on Appropriations, and the Committee shall approve, justification for changes in those levels for High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance reports. Provided further, That no funds of an amount in excess of the fiscal year 2003 budget request shall be obligated prior to the approval of the Committee on Appropriations. Provided further, That none of the funds made available in this Act or any other Act may be expended or obligated for the continued or future operation of a regional office with authority over more than one of the California, Arizona, New Mexico, or Texas partnerships without the consent of each of the affected partners.

OFFICE OF NATIONAL DRUG CONTROL POLICY SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy, for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), not to exceed $10,000 for official reception and representation expenses, and for participation in joint projects to ensure that the Office of National Drug Control Policy is aware of matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $25,456,000, of which $2,500,000, to remain available until expended, consisting of $1,350,000 for policy research and evaluation, and $1,000,000 for the National Alliance for Model State Drug Laws: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

For necessary expenses for the Cauterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $40,000,000, which shall remain available until expended, consisting of $18,000,000 for counternarcotics research and development projects, and $22,000,000 for the continued operation of the Counterdrug Technology Assessment Center: Provided, That the $18,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the public interest, or defense in- tense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 130, $100,000,000.

This title may be cited as the “Executive Office Appropriations Act, 2003”.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92-28, $4,629,000.

FEDERAL ELECTION COMMISSION

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $5,244,000, of which not to exceed $5,000 shall be available for re- ception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Number I of the National Labor Relations Board, $100,000,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE (INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in, and to be used for the purposes of, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 352), $356,299,000. The revenues and collections credited to the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and service, and for facilities owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies; and safety and telecommunication relocation expenses in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, apperances and alterations; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects; design and other- wise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations in connection with acquisition, installation, and purchase contract; in the aggregate amount of $6,926,835,000, of which: (1) $831,683,000 shall remain available until expended for capital expenditures, including funds for sites and expenses and associated design and construction services of additional projects at the following locations: New Construction: Arkansas: Little Rock, United States Courthouse Annex, $10,000,000, California: San Diego, United States Courthouse Annex, $10,000,000, District of Columbia: Washington, Southeast Federal Center Site Remediation, $8,972,000, Florida: Fort Pierce, United States Courthouse Annex, $9,100,000, Iowa: Cedar Rapids, United States Courthouse, $5,167,000, Maryland: Jackman, Border Station, $9,194,000, Montgomery County, FDA consolidation, $5,200,000, Sault Ste. Marie, United States Courthouse Annex, $7,500,000, Maine: Waldoboro, USDA consolidation, $2,937,000, Wisconsin: Rhinelander, Federal Building and U.S. Courthouse Annex, $10,000,000, Wisconsin: West Allis, Consolidated Federal Building Complex, $10,000,000, Wisconsin: West Allis, Federal Building and Annexe, $23,901,000, Wisconsin: West Allis, U.S. Courthouse Annex, $77,154,000.
District of Columbia:

New Haven, Robert N. Gaimo Federal Building, $11,149,000

Connecticut:

Tecate, Tecate United States Border Station, $2,201,000

San Francisco, Appraisers Building, $3,130,000

Los Angeles, Federal Building, 300 North Los Angeles Street, $93,166,000

Maryland:

Baltimore, Metro West, $6,162,000

Woodlawn, Operations Building, $96,905,000

Tennessee:

Nashville, United States Courthouse, $16,394,000

Courthouse and Santa Fe Federal Building, $2,810,000

New York, United States Mission to the United Nations, $57,053,000

Portsmouth, Thomas J. McIntyre Federal Building, $3,148,000

New York:

New York, Jacob K. Javits Federal Building, $7,568,000

Ohio:

Cleveland, Howard M. Metzenbaum United States Courthouse, $15,212,000

Pennsylvania:

Pittsburgh, United States Post Office and Courthouse, $2,810,000

Texas:

Dallas, Earle Cabell Federal Building—Courthouse and Santa Fe Federal Building, $15,394,000

Fort Worth, Fritz Garland Lanham Federal Building, $15,249,000

Washington:

Seattle, Henry M. Jackson Federal Building, $29,332,000

Nationwide:

Judgment Fund Repayment, $3,012,000

Nonprospect Construction, $8,253,000:

Provided, That funding for any project identified above may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amount included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount; Provided further, That any Federal Incentive projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: (2) $997,839,000 shall remain available until expended:


For expenses authorized by law, not otherwise provided for, for Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; providing citizens with Internet access to information, and services as authorized by 5 U.S.C. 3109, not to exceed $7,500 for official reception and representation expenses, $9,640,000, of which $23,899,000 shall remain available until expended.
$5,000,000, to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: Provided further, That such transfers may not be made until 10 days after a proposed transfer plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 192 note), and Public Law 95–138, $3,339,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, and improvement, including payment of operating expenses and rents, of any property transferred to it by a Federal agency, or otherwise transferred to it, or acquired by purchase, condemnation, or otherwise.

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund available for fiscal year 2004 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements.

SEC. 404. No funds made available by this Act shall be used to pay interest incurred during the construction period of any project as described in the fiscal year 2004 request for United States Courthouse construction that which: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration; (2) does not reflect the provisions of law, the Administrative Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the provisions of law, the Administrative Conference of the United States as set out in its approved 5-year construction plan: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 405. None of the funds provided in this Act may be used to acquire the right to the use of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the General Services Administration Amendments Act of 1972 (Public Law 92-313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 5124(b) and 5128 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428), for performance of pilot information technology projects which have potential for Government-wide benefits and savings, or funds transferred from this Fund to any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading “Federal Buildings Fund, Limitations on Availability of Revenue”, claims against the Government of less than $2,000,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects. All proceeds shall be deposited into the fund established under section 592 of title 40, United States Code, and shall not be available for obligation or expenditure until authorized by a future appropriations Act.

SEC. 408. DESIGNATION OF THE JUDGE DAN M. RUSSELL, JR. FEDERAL BUILDING AND UNITED STATES COURTHOUSE

(a) Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse located at 2051 15th Street in Gulfport, Mississippi, shall be known and designated as the “Judge Dan M. Russell, Jr. Federal Building and United States Courthouse”.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Judge Dan M. Russell, Jr. Federal Building and United States Courthouse”.

SEC. 409. DESIGNATION. (a) The United States courthouse located at 100 Federal Plaza in Central Islip, New York, shall be known and designated as the “Alfonse M. D’Amato United States Courthouse”.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Alfonse M. D’Amato United States Courthouse”.

SEC. 410. DESIGNATION OF CESAR E. CHAVEZ MEMORIAL BUILDING. (a) The building known as the Colomnade Center, located at 1254 Speer Boulevard, shall be known and designated as the “Cesar E. Chavez Memorial Building”.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the “Cesar E. Chavez Memorial Building”.

SEC. 411. For gross obligations for the principal amount of a direct loan as defined by Section 502 of the Congressional Budget Act of 1974, not to exceed $250,000, to be available from amounts transferred by Treasury to the “Disposal of surplus real and related personal property” account of the General Services Administration.

SEC. 412. DESIGNATION OF RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE AND UNITED STATES COURTHOUSE

(a) The courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, and any addition to the courthouse that may hereafter be constructed, shall be known and designated as the “Richard Sheppard Arnold United States Courthouse”.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Richard Sheppard Arnold United States Courthouse”.

SEC. 413. (a) Notwithstanding any other provision of law, the Administrator of General Services shall, to the extent necessary, by purchase, condemnation, or otherwise, the properties known as 26 West Market Street, 30 West Market Street, 39 West Market Street, and 40 West Market Street in Salt Lake City, Utah.

(b) In addition, the Administrator is authorized to relocate the historical building currently located at 39 West Market Street, Salt Lake City, Utah, to the site currently known as 26, 30, and 40 West Market Street, Salt Lake City, Utah, and after the relocation the Administrator is authorized to sell by auction, or upon such other terms and conditions as the Administrator deems proper, the properties known as 26, 30, and 40 West Market Street, Salt Lake City, Utah.
OFFICE OF PERSONNEL MANAGEMENT
SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Personnel Management, pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rent of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $2,500 for official reception and representation expenses, $12,486,000.

OFFICE OF PERSONNEL MANAGEMENT
SALARIES AND EXPENSES

(SPECIAL ACTS TO BE CREDITED TO THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND)

For necessary expenses to carry out functions of the Office of Personnel Management, pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, $37,305,000:

SEC. 502. The expenditure of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided by special Acts.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for making a payment to any person on account of a claim for which recovery is not otherwise provided. The President is specially authorized: Provided, That a request shall be made in compliance with reprogramming guidelines.

TITTLE V—GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided by special Acts.

SEC. 502. The expenditure of any appropriation under this Act for any activity or for making a payment to any person on account of a claim for which recovery is not otherwise provided by existing law, or under existing Executive order issued pursuant to existing law, is hereby specially authorized: Provided, That these re-determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 501. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left the service of the United States, if the person has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service been certified for discharge from hospitalization for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto. Provided, That payment pursuant to the Act may be expended by the entity unless the entity agrees that in expending the assistance the entity will comply with section 4 of the Buy American Act (41 U.S.C. 10a–10c).

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving financial assistance should purchase only American-made equipment and products.

SEC. 503. NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance notice describing the stipulations made in subsection (a) of this section.
Sect. 509. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express consent, for a period of more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.


Sect. 511. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

Sect. 512. No funds appropriated or otherwise made available under this Act shall be made to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

Sect. 513. None of the funds provided in this Act may be used to procure any products, articles, goods, or wares mined, manufactured, or produced wholly or in part by forced or involuntary labor, or by labor the means of which is剥削 downloading of the body or abduction or otherwise exercised through the threat of violence or the promise of reward.

Sect. 514. ENDOWMENT FOR PRESIDENTIAL LIBRARIES. Section 2112(g) of title 44, United States Code, is amended by adding at the end the following:

"(iv) Notwithstanding paragraphs (3) and (4) to the extent that such paragraphs are inconsistent with this paragraph), this subsection shall be administered in accordance with standards promulgated by the Archivist in consultation with any Presidential archival depository created as a depository for the papers, documents, and other historical materials and Presidential records of any person, other than a President, who has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

Sect. 515. ENDOWMENT FOR OTHER HISTORICAL MATERIALS. No funds appropriated in this Act shall be made to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

Sect. 516. ENDOWMENT FOR THE NATIONAL ARCHIVES AND THE RECORDS ADMINISTRATION. Section 8 of the National Archives and Records Administration Act of 1984 (44 U.S.C. 2107) is amended by adding at the end the following:

"(iii) The Archivist shall promulgate standards to be used in calculating the dollar amount of any credit to be given, and shall consult with all donors of the endowment before giving any credits. The total dollar amount of credits given under this paragraph may not exceed 20 percent of the endowment amount required under paragraph (4)."

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Sect. 601. Funds appropriated in this Act or any other Act may be used to travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

Sect. 602. No funds appropriated for the instrumentsality of the United States receiving appropriated funds under this or any other Act for fiscal year 2003 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

Sect. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (50 Stat. 480), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover vehicles) is hereby fixed at $8,100 except station wagons for which the maximum amount shall be $10,000. Provided, That such provision shall apply to not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels not to exceed $500 per vehicle and pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

Sect. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the agency concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

Sect. 605. None of the funds made available in this Act shall be paid to any officer or agency for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, Government of the United States whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States; or (3) is a person who owes allegiance to the United States; or (4) is an alien from Cuba, Poland, South Vietnam, the communist or the non-European Baltic countries lawfully admitted to the United States for permanent residence; (5) is a Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for a certificate of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be fined not more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the statutory or legal cause shall apply to, and not in substitution for, any other provisions of existing law: Provided further, That nothing herein contained shall further, that the statutory or legal cause shall apply to, and not in substitution for, any other provisions of existing law: Provided further, That nothing herein contained shall apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

Sect. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for temporary employment of translators, temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

Sect. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including the records disclosed to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available only expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1999), as amended by any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

Sect. 608. Any employee of the United States, not to exceed his or her status have been complied with: Provided further, That any person making a false affidavit shall be fined not more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the statutory or legal cause shall apply to, and not in substitution for, any other provisions of existing law: Provided further, That nothing herein contained shall apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

Sect. 609. None of the funds made available in this Act or any other Act may be used for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, Government of the United States whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States; or (3) is a person who owes allegiance to the United States; or (4) is an alien from Cuba, Poland, South Vietnam, the communist or the non-European Baltic countries lawfully admitted to the United States for permanent residence; (5) is a Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for a certificate of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be fined not more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the statutory or legal cause shall apply to, and not in substitution for, any other provisions of existing law: Provided further, That nothing herein contained shall apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.
United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia, services in accordance with 5 U.S.C. 3109; and the objects specifically contained in this Act, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which such funds are appropriated.

That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations upon such functions, and the rate at which such expenses shall be correspondingly reduced.

SEC. 610. Notwithstanding any other provision of law, no prevailing rate employee described in section 5348(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which the rates prescribed exceed the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule of rates established under section 3302 of title 5, United States Code, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates that are in effect on September 30, 2002, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) The office with respect to pay for service performed after September 30, 2002.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that the application of such provision or regulation, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department, agency, or instrumentality has in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment, and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 619. None of the funds made available in this Act for the United States Customs Service may be used to allow—

(1) the importation into the United States of any good, ware, article, or merchandise made, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

(2) the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to paragraph (1) of section 307, on the basis that the good, ware, article, or merchandise may be mined, produced, or manufactured by forced or indentured child labor.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the Office with primary responsibility for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Director of Central Intelligence; and

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, the Department of Energy performing intelligence functions; and

(7) the director of any other agency, office, or instrumentality of the United States receiving appropriated funds under this Act.

(c) None of the funds made available in this Act for the United States Customs Service may be used to allow—

(1) the importation into the United States of any good, ware, article, or merchandise made, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

(2) the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to paragraph (1) of section 307, on the basis that the good, ware, article, or merchandise may be mined, produced, or manufactured by forced or indentured child labor.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the Office with primary responsibility for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Director of Central Intelligence; and

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, the Department of Energy performing intelligence functions; and

(7) the director of any other agency, office, or instrumentality of the United States receiving appropriated funds under this Act.
in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, whether or not such communication, in connection with the investigation, as he shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the head of the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 623. No part of any funds appropriated in this Act or any other Act shall be used by an agency to advance a Federal employee’s home address to any labor organization except when the employee has authorized such disclosure. Such disclosures shall be ordered by a court of competent jurisdiction.

SEC. 624. None of the funds made available in this Act or any other Act may be used to authorize the distribution of any mailing or telephone lists to any person or organization outside of the Federal Government without the approval of the Committee of the Congress as described in paragraph (1).

SEC. 625. No part of any appropriation contained in this Act or any other Act may be used for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 626. No part of any appropriation contained in this Act or any other Act shall be used for public relations purposes within the United States or not hereafter authorized by the Congress.

SEC. 627. (a) In this section the term “agency”—

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

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

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointment system, authorized in this section to perform official duties, as authorized by the Whistleblower Protection Act (18 U.S.C. 1778) or by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military) section 2902(b)(6) of title 5, United States Code, as amended by section 11 of the Whistleblower Protection Act (governing disclosures of illegalities, waste, fraud, abuse of public office, or in the performance of official duties, or in the conduct of official investigations, of the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.), (governing disclosures that could expose any individually identifiable the Intelligence Identities Protection Act of 1982 (50 U.S.C. 733(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said law and similar statutes are hereby incorporated into this agreement and are controlling:

“Provided, That notwithstanding the preceding paragraph, a non-disclosure policy form or agreement that is to be executed by a person connected with the National Security, including sections 641, 793, and the corresponding subsection of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said law and similar statutes are hereby incorporated into this agreement and are controlling:

Provided, That—

SEC. 631. Notwithstanding section 1346 of title 31, United States Code, or section 610 of the Budget and Accounting Act, 1921, none of the funds made available by this or any other Act shall be transferred or reimbursed until 15 days following notification of the Committees of Appropriations by the Director of the Office of Management and Budget.

SEC. 632. Any request for proposals, solicitation, grant application, form, notification, mailing or telephone lists to any person or organization outside of the Federal Government shall be available for the current fiscal year by this or any other Act shall be available for the current fiscal year by this or any other Act to any department or agency, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-sponsored, financial, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget. In consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officer and the Joint Financial Management Improvement Program for Financial Management initiatives, the Chief Information Officers Council for information technology initiatives, and the Procurement Executive Council for procurement initiatives). The total funds transferred or reimbursed shall not exceed $17,000,000. Such transfers or reimbursements may only be made 15 days following notification of the Committees of Appropriations by the Director of the Office of Management and Budget.
DIVISION K—VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS, 2003

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and agencies, and for the fiscal years ending September 30, 2003, and for other purposes.

That the following sums are appropriated, to remain available until expended.

VETERANS BENEFITS ADMINISTRATION

Compensation and Pensions

(Including Transfer of Funds)

For the payment of compensation benefits to, or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, 1107, 1109, 1313A, 1313B, 1318), and for other purposes.

That the following sums are appropriated, to remain available until expended:

Provided, That funds made available under this heading shall be reimbursed to "Medical facilities revolving fund accounts".

Provided further, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2003, within the resources available, not to exceed $3,626,000, to be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(Including Transfer of Funds)

For the cost of direct loans, $55,000, as authorized by 38 U.S.C. chapter 31, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,626,000.

For administrative expenses necessary to carry out the direct loan program, $182,000, which may be transferred to and merged with the appropriation for "General operating expenses".

GUARANTEED TRANSITIONAL HOUSING LOANS PROGRAM ACCOUNT

(Including Transfer of Funds)

For administrative expenses necessary to carry out the direct loan program, $299,000, which may be transferred to and merged with the appropriation for "General operating expenses".

For administrative expenses necessary to carry out the guaranteed transitional housing loan program authorized by 38 U.S.C. chapter 37, subchapter V, not to exceed $750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical care" may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(Including Transfer of Funds)

For necessary expenses for the maintenance, operation, and improvement of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and for furnishing recreational facilities, supplies, and equipment incidental thereto for beneficiaries receiving care in the department; administrative expenses in support of planning, project, and property acquisition and disposition, construction and renovation of any facility under the
jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of equipment or services, as authorized, as provided by section 20 of title 38, United States Code, may be transferred to “Medical care”, to remain available until expended.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs and projects of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 2004, $400,000,000, plus reimbursements: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That of the funds made available under this heading, $500,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2003, and shall remain available until September 30, 2004: Provided further, That of the funds made available under this heading, not to exceed $900,000,000 shall be available until September 30, 2004: Provided further, That from amounts made available under this heading, additional amounts, as designated by the Secretary no later than September 30, 2002, may be used for CARES activities without further action of Congress: Provided further, That the Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the payment of the costs of the audit and any administrative expenses necessary to implement Capital Asset Realignment for Enhanced Services (CARES) activities: Provided further, That from amounts made available under this heading, not to exceed $50,000,000 shall be available until September 30, 2004: Provided further, That of the funds made available under this heading for operations and maintenance or guarantee period services costs associated with equipment or services purchased, not to exceed $5,912,000 shall be available until September 30, 2004.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for leased Federal Express services, $1,256,418,000: Provided, That for services and assistance authorized by 38 U.S.C. 3109(a)(1), (2), (5), and (11) that the Secretary of Veterans Affairs may provide to entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment, (2) to meet the health care needs of daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed $65,000,000 shall be available for obligation until September 30, 2004: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may lease one or more passenger motor vehicles for use in operations of that Administration in Manila, Philippines: Provided further, That travel expenses for this account shall not exceed 17,982.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including the purchase of cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $133,149,000, of which $6,912,000 shall be available until September 30, 2004.

OFFICE OF INSPECTOR GENERAL


CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, except for advance planning activities, such as portfolio development and concept formulation, to ensure that investments are made to achieve the maximum net present value and that the best possible outcomes are obtained; for conducting studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including those which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and concept formulation, to ensure that investments are made to achieve the maximum net present value and that the best possible outcomes are obtained; for conducting studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including those which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and concept formulation, to ensure that investments are made to achieve the maximum net present value and that the best possible outcomes are obtained. That funds provided in this appropriation for fiscal year 2003, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2003; and (2) by the awarding of a construction contract by September 30, 2004: Provided further, That from amounts appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2003, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2003; and (2) by the awarding of a construction contract by September 30, 2004: Provided further, That the Secretary of Veterans Affairs shall report to Congress in writing the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above: Provided, That no funds from any other account except the “Parking revolving fund”, may be obligated for constructing, altering, extending, or improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs which are necessary because of a major project which has not been fully funded in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs, including planning and design activities; and of which $10,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: Provided, That from amounts appropriated under this heading may be used for CARES activities upon notification of and approval by the Committees on Appropriations: Provided further, That from amounts appropriated under this heading may be used for CARES activities upon notification of and approval by the Committees on Appropriations: Provided further, That funds in this account shall be available for (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected, to remain available until expended, which shall be available for all authorized Department programs and activities, including capital acquisition activities, which will be funded from “Medical care”.****
GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries, as authorized by 38 U.S.C. 2408, $32,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2003 for "Compensation and pensions", "Re- adjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2003 for salaries and expenses shall be available for services authorized by 3 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects", and the "Parking revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for the acquisition or condemnation of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 5141–5241), unless reimbursement of cost is made to the "Medical care" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2003 for "Compensation and pensions", "Re- adjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the compendium of prior year accounts within the last quarter of fiscal year 2002.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2003 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from Title X of the Competitive Equality Banking Act, as amended (Public Law 106–100, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2003, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 8307), and the Special Life Insurance Fund (38 U.S.C. 1923) and the United States Government Life Insurance Fund (38 U.S.C. 1925), reimburse the "General operating fund" for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the accumulated Reimbursement Fund established under 38 U.S.C. 1923. Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2003 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program. SEC. 108. Notwithstanding any other provision of law, the Department of Veterans Affairs may establish the Franchise Fund to govern a program authorized by section 403 of Public Law 103–356 until October 1, 2003: Provided, That the Franchise Fund, established by title I of Public Law 103–356 to finance the operation of the Franchise Fund pilot program, shall continue until October 1, 2003.

SEC. 109. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 110. Funds available in any Department of Veterans Affairs (excluding VA Cooperative VFW fiscal year 2003 or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $29,318,000 for financial management and $3,010,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made to individuals based on estimated costs: Provided further, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 111. (a) (1) Section 1729B of title 38, United States Code, is repealed. Any balance as of the date of the enactment of this Act in the Department of Veterans Affairs Health Services Improvement Fund established under section 179A of title 38, United States Code.

(2) The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by striking the item relating to section 1729B.

(b) Section 1729B(a) of such title is amended—

(1) by redesignating paragraph (8) as paragraph (10); and

(2) by inserting after paragraph (7) the following new paragraphs:

"(7) Section 186(a) of this title.

(8) Section 113 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 38 U.S.C. 8111 note)."

SEC. 112. (a) In the first sentence of section 210 of this Act, the following shall be inserted:

"(7) Section 186(a) of this title."

SEC. 113. (a) (1) Section 1729A of title 38, United States Code, is amended—

(2) (d) (1) and (2) of such section are amended by striking "Department of Veterans Affairs Health Services Improvement Fund established under section 1729B of this title" and inserting "Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title."

(3) Section 1729A(d) of such title is amended by striking "Department of Veterans Affairs Health Services Improvement Fund established under section 1729B of this title" and inserting "Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title."

(4) Section 1729A(b) of such title is amended by striking "Department of Veterans Affairs Health Services Improvement Fund established under section 1729A of this title."

SEC. 114. (a) (1) Section 1729A of title 38, United States Code, is amended—

(2) In section 1729A(b) of such title, the following shall be inserted:

(3) "Section 113 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 38 U.S.C. 8111 note)."

(4) In section 1729A(c) of such title, the following shall be inserted:

in public and assisted housing pursuant to a request from a law enforcement or prosecution agency; (5) for tenant protection assistance, including replacement and relocation assistance for the 1-year period following the effective date of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation and Resumption and Resident Homeowner Act of 1990: Provided further, That of the amount provided under this heading, no less than $75,000,000 shall be available for the Working Capital Fund for the development of and modifications to information technology systems which serve activities under this heading: Provided further, That the amounts made available for incremental vouchers under this heading for any fiscal year (to the extent practicable) for non-elderly disabled families shall be provided to non-elderly disabled families upon turnover or renewal: Provided further, That the amounts made available for incremental vouchers under this heading for any fiscal year (to the extent practicable) for non-elderly disabled families shall be transferred to the Department of Housing and Urban Development under this heading or the heading “Annual contributions for assisted housing” or any other heading for fiscal years for which funds may be required by the Secretary no later than September 30, 2003: Provided further, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated may be available for this rescission, except that this proviso does not apply to reallocation of funds required by section 6(j) of such Act: Provided further, That the Secretary shall have until September 30, 2003, to meet the requirements of the immediately preceding proviso: Provided further, That any obligated balances of contract authority that have been terminated shall be canceled.

PUBLIC HOUSING CAPITAL FUND
(INCLUDING TRANSFERS OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $2,683,000,000, to remain available until September 30, 2006: Provided, That, notwithstanding any other provision of law or any failure of the Secretary of Housing and Urban Development to issue regulations under section 658 of such Act, the Housing and Community Development Agency may be used under this heading, up to $54,000,000 shall be available for public housing agencies for use in the substantial rehabilitation of distressed units, the development of units in mixed-income developments, or for loan loss reserves to support such activities. Of the amount made available under this heading, the Secretary of Housing and Urban Development may use up to $35,000,000 for supportive services for public housing residents, as authorized by section 34 of the United States Housing Act of 1937, as amended, and for residents of housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and for program coordinators and cointegrating aides for the elderly and disabled residents of public and assisted housing and housing assisted under NAHASDA.

PUBLIC HOUSING OPERATING FUND

For payments to public housing agencies for the operation and management of public housing as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437(e)), $3,530,000,000, to remain available until September 30, 2004: Provided, That the amount made available under this heading, up to $10,000,000 shall be for programs, as determined appropriate by the Attorney General, which assist in the investigation and prosecution of violent crimes and drug offenses in public and federally-assisted low-income housing, including Indian housing, which shall be administered by the Department of Justice through a reimbursable agreement with the Department of Housing and Urban Development: Provided further, That up to $250,000,000 shall be available to public housing agencies that are eligible for additional funds in fiscal year 2002 for the operation and management of public housing: Provided further, That up to $50,000,000 shall be made available under this heading, up to $10,000,000 shall be for the provision of remediation services to public housing agencies identified as “troubled” under the Section 8 Management Assistance Program and may be used to calculate local Fair Market Rents and assess housing conditions in connection with rental assistance under section 8 of the Act: Provided further, That the amount provided under this heading, up to $50,000,000 shall be for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

REINVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for development, site reconfiguration, mixed-income housing, and tenant-based assistance grants to projects as authorized by section 24 of the
United States Housing Act of 1937, as amended, $574,000,000, to remain available until September 30, 2004, of which the Secretary may use up to $5,250,000 for technical assistance or training, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, to officials and employees of the department and of public housing agencies and to residents: Provided, That none of such funds shall be used directly or indirectly to pay judgments, unless expressly permitted herein: Provided further, That of the total amount made available under this heading, $5,000,000 shall be for a Neighborhood Networks initiative for activities authorized in section 24(h)(1)(G) of the United States Housing Act of 1937, as amended: Provided, That notwithstanding any other provision of law, amounts made available in the previous proviso shall be awarded to public housing agencies on a competitive basis as provided in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

NATIVE AMERICAN HOUSING BLOCK GRANTS (INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grant Program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 et seq.), $694,570,000, to remain available until expended, of which $2,200,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; of which $5,000,000 shall be to support innovation awards to Indian tribes, contract expertise, training, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to $300,000 for related travel; and of which no less than $600,000 shall be transferred to the Working Capital Fund for development of and modifications to information technology systems which serve programs or activities under “Public and Indian housing”: Provided, That of the amount provided under this heading, $2,000,000 shall be available for emergency funding of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such guarantees and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That for program activities administered by Habitat for Humanity International, no less than $5,000,000 of the funding to be used for economic development activities in rural areas: Provided further, That such funds shall be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by section 18A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715v-13a), $5,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That such funds shall be available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $197,245,000.

For administrative expenses to carry out the guaranteed loan program, up to $200,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for “Salaries and expenses”, to be used only for the administrative costs of these guarantees.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715v-2(b)), $1,800,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $39,712,000.

For administrative expenses to carry out the guaranteed loan program, up to $5,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for “Salaries and expenses”, to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT HOUSING OPPORTUNITIES FOR PERSONS WITH SPECIAL NEEDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Program (42 U.S.C. 12801 et seq.), $520,000,000, to remain available until September 30, 2004: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing and technical assistance under section 201 of the Act, and such contracts authorized under this heading shall comply with all requirements of the Act, as amended: Provided further, That no less than $3,400,000 shall be transferred to the Working Capital Fund for development of and modification to information technology systems which serve programs or activities under “Community Planning and Development”.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development of the Department of Housing and Urban Development, $25,000,000 to remain available until expended, which amount shall be awarded by June 1, 2004, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas: Provided, That all grants shall be awarded on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

For grants in connection with a second round of funding of Empowerment Zones, $30,000,000, to remain available until expended, for “Empowerment Zones”, as authorized in section 139(g) of the Internal Revenue Code of 1986 (26 U.S.C. 139(g)), including $2,000,000 for each empowerment zone for use in conjunction with economic development activities consistent with the development of the zone. Provided further, That no funds shall be available under this heading for expenditure in fiscal year 2004 and thereafter unless the Congress enacts tax legislation to fund eligible activities in fiscal year 2004 and thereafter. COMMUNITY DEVELOPMENT FUND (INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities in rural areas: Provided, That such funds shall be available under this heading, $35,500,000, to remain available until September 30, 2005: Provided, That the amount provided, $1,580,000,000 is for carrying out the community development block grant program authorized by section I of the Housing and Community Development Act of 1974, as amended (the “Act”) herein (42 U.S.C. 5301 et seq.): Provided further, That $72,500,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act; $3,300,000 shall be for a grant to the Housing Assistance Council; $2,600,000 shall be for a grant to the Native American Indian Housing Council; $2,000,000 shall be for a grant to Girl Scouts of the USA for youth development initiatives in public housing; $2,000,000 shall be for a grant to Boys and Girls Clubs of America for the operating and start-up costs of clubs located in or near, and primarily serving residents of, public and Indian housing; $3,000,000 shall be for grants pursuant to section 107 of the Act of which $4,000,000 shall be to support Alaska Native serving institutions and Native Hawaiian serving institutions under the Higher Education Act, as amended, $3,000,000 shall be for tribal colleges and universities to build, expand, renovate and equip their facilities; $7,000,000 shall be for insular areas, $11,000,000 shall be for historically black colleges and universities, $3,000,000 shall be for community development for study, $30,000,000 for the Department of Hawaiian Homeland to provide assistance as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (22 U.S.C. 4221 et seq.) (with no more than 5 percent of such funds being available for administrative costs), and of which $7,500,000 shall be for Hispanic serving institutions: Provided further, That no less than $3,400,000 shall be transferred to the Working Capital Fund for the development of and modification to information technology systems which serve programs or activities under “Community planning and development”: Provided further, That $3,000,000 shall be made available for costs of the Paul and Sheila Wellstone Center for Community Building: Provided further, That $22,000,000 shall be for grants pursuant to the Self Help Homeownership Opportunity Program: Provided further, That not to exceed 20 percent of any grant made with funds appropriated under this heading (other than a grant made available in this paragraph in the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Act) shall be expensed for “Planning and Management Development” and “Administration”, as defined in regulations promulgated by the Department.

Of the amount made available under this heading, $35,500,000 shall be for capacity building, of which $31,500,000 shall be for Capacity Building for Community and Affordable Housing for LISIC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act (42 U.S.C. 3618 et seq.): Provided further, That such funds shall be available for expenses immediately before June 12, 1997, with not less than $5,000,000 of the funding to be used in rural areas, including tribal areas, and of which $5,000,000 shall be for capacity building activities administered by Habitat for Humanity International.
Of the amount made available under this heading, $40,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economy, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives, of which $1,000,000 shall be for a grant to National Community Enterprise Preservation Corporation to preserve 5,000 affordable apartments for low-income people and $5,000,000 shall be for a grant to the Housing Partnership (Inc.), for a revolving fund for single-family homeownership development and loans to nonprofit affordable housing organizations.

Of the amount made available under this heading, notwithstanding any other provision of law, $85,000,000 shall be available for YouthBuild program activities authorized by title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: Provided, That such activities shall include the development of such educational opportunities for youth as to enable them to acquire the knowledge necessary to enable them to live independently of public assistance, including their ability to be gainfully employed, the knowledge necessary to become self-sufficient individuals; and $10,000,000 shall be available for grants to establish YouthBuild programs in underserved and rural areas: Provided further, That the amount provided under this paragraph, $2,000,000 shall be set aside and made available for a grant to YouthBuild USA for capacity building for community development and assistance in delivering activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amount made available under this heading, $130,500,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of the Committee on Appropriations submitted for the record accompanying this Act: Provided, That each grant specified in the statement shall be used for EDI activities: Provided further, That the referenced statement of the managers under the heading “Community development block grants” in title II of Public Law 105–277 is amended by striking “$750,000 to the Maryland State Department of Housing and Community Development for relocation of residents of Wagners Point community in Baltimore, Maryland” and inserting in lieu thereof “$750,000 to the Maryland State Department of Housing and Community Development for relocation of residents of Wagners Point community in Baltimore, Maryland ($514,000) and for recovery efforts that occurred on or after the April 28, 2002 tornado in Charles and Calvert Counties ($256,000)”: Provided further, That the Secretary may designate up to 25 percent of the amount earmarked under this paragraph for Community Development Loan Guarantees Program Accounts: Provided further, That any aggregate limitation on outstanding obligations guaranteed by the Secretary shall not apply to guarantees issued under paragraphs (1) and (2) for the amount of guarantees issued under paragraphs (1) and (2): Provided further, That the Secretary may waive any provision waived under the next proviso, which assistance and management information systems: Provided further, That no less than 10 percent of any grant award may be used for administrative costs: Provided further, That $44,000,000 plus up to $9,000,000 of amounts re-captured or commitments cancelled under this heading shall be used to provide financial assistance and management information systems which serve activities under “Community Planning and Development”.

For Economic Development Grants for Brownfields redevelopment projects, $25,000,000, to remain available until September 30, 2005: Provided further, That notwithstanding section 108(f) of the Housing and Urban Development Act of 1994, recipients of funding made available under this heading may, at the discretion of the Secretary, also apply for funding under section 108.

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: Provided, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funds shall be given a priority for YouthBuild funding: Provided further, That no more than 10 percent of any grant award may be used for administrative costs: Provided further, That $2,000,000 shall be set aside and made available for a grant to YouthBuild USA for capacity building for community development and assistance in delivering activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 411 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,215,025,000, of which $135,000,000 shall be used for administrative expenses, shall be available, for administrative expenses, to the Secretary under section 106 of the Housing and Urban Development Act of 1968; and no less than $1,100,000 shall be transferred to the Working Capital Fund for the development of and modification to information technology systems which serve activities under “Community Planning and Development”.

For assistance for the purchase, construction, and rehabilitation of rental and nonrental residential buildings, including amendments to capital advance and permanent loan guaranty and management information systems: Provided further, That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for Community Development Loan Guarantees Program Accounts: Provided further, That the amount of guarantees issued under paragraphs (1) and (2) for the amount of guarantees issued under paragraphs (1) and (2): Provided further, That any aggregate limitation on outstanding obligations guaranteed by the Secretary shall not apply to guarantees issued under paragraphs (1) and (2) for the amount of guarantees issued under paragraphs (1) and (2): Provided further, That the Secretary may waive any provision waived under the next proviso, which assistance and management information systems: Provided further, That no less than 10 percent of the funds available under this heading shall be transferred to the Working Capital Fund: for the development of and modifications to information technology systems which serve activities under “Community Planning and Development”.

For Service Coordinators, $80,000,000, to remain available until September 30, 2005: Provided further, That $783,286,000, plus recaptures or cancelled commitments, shall be for capital advance and permanent loan guaranty programs, including amendments to capital advance and permanent loan guaranty and management information systems: Provided further, That of the total amount provided under this heading, $5,000,000 shall be used for administrative expenses, to the Secretary under section 106 of the Housing and Urban Development Act of 1968; and no less than $1,100,000 shall be transferred to the Working Capital Fund for the development of and modification to information technology systems which serve activities under “Community Planning and Development”.

provided, That the Secretary may waive any provision waived under the next proviso, which assistance and management information systems: Provided further, That of the amount provided under this heading, $2,000,000 shall be set aside and made available for a grant to YouthBuild USA for capacity building for community development and assistance in delivering activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.
and conditions of project rental assistance and tenant-based assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate, or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate: Provided further, That all balances and recaptures, as of October 1, 2002, remaining in the “Congregate Housing Services” account as authorized by the Housing and Urban Development Act of 1978, as amended, shall be transferred to and merged with the amounts for those purposes under this heading.

FINANCIAL ASSISTANCE

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under the National Housing Act (12 U.S.C. 1715–1) is reduced in fiscal year 2003 by not more than $100,000,000 in uncommitted balances of authorizations of contract authority resulting from any actions described as provided under section 236(s) of the National Housing Act, as amended.

MANUFACTURED HOUSING FEES TRUST FUND

For purposes as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, $15,000,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections from the Fund: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received: Provided further, That the amount made available under this heading as a result of a fiscal year appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a fiscal year 2003 appropriation.

FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For program as authorized by the National Housing Act, as amended, $347,820,000, of which not to exceed $534,807,000 shall be transferred to the appropriation for “Salaries and expenses”; and not to exceed $4,022,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under “Housing Programs” or “Federal Housing Administration” as provided: Provided, That the amount to be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under “Housing Programs” or “Federal Housing Administration” as provided shall be transferred to the appropriation for “Salaries and expenses”. In addition, for administrative contract expenses, $85,720,000, of which no less than $21,360,000 shall be transferred to the Mortgage Insurance Fund.

RENTAL HOUSING ASSISTANCE

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2002, and any collections to the Fund pursuant to section 620 of the National Housing Act (12 U.S.C. 1715z–1) shall be transferred to and merged with the amounts for those purposes under this heading.

PARTIAL LEAD HAZARD CONTROL

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1715v), including the cost of loan guarantee modifications, as defined in section 122 of the National Housing Act (12 U.S.C. 1715z–3 and 1715v), $15,000,000, to remain available until expended: Provided, That not to exceed the total amount appropriated under this heading shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; such real property shall be for single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, as authorized by sections 501 and 502 of the Housing and Urban Development Act of 1968, as amended, $39,680,000, of which not to exceed $30,543,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve activities under “Housing Programs” or “Federal Housing Administration” as provided: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received: Provided further, That the amount made available under this heading as a result of a fiscal year appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a fiscal year 2003 appropriation.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

Guarantees to issue guarantees to carry out the purposes of section 205 of the National Housing Act, as amended, (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2004: Provided, That of the total amount provided under this heading, $8,750,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative.

FAIR HOUSING AND EQUAL OPPORTUNITY

For contracts, grants, and other assistance as otherwise authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $45,899,000, to remain available until September 30, 2004, of which $20,250,000 shall be to carry out activities under section 562 of such Act: Provided, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 4851 of the Government National Mortgage Association Mutual Mortgage Insurance Program, as amended by section 4851 of the Government National Mortgage Association Mutual Mortgage Insurance Program, as amended, $201,000,000, to remain available until September 30, 2004, of which $10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstrations, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That the total amount made available under this heading, $75,000,000 shall be available for an urban lead hazard reduction demonstration program in the form of up to 25 major urban areas, as identified by the Secretary as having: (1) the highest number of pre-1940 units of rental housing; (2) significant deterioration of paint; and (3) a disproportionately high number of documented cases of lead-poisoned children: Provided further, That the amount of the funds made available under this paragraph shall be allocated equally among major urban areas that meet the eligibility criteria for the abatement of lead-based paint hazards so long as a major urban area is met with a total proportionate share equal to 10 percent of the funds that are available to the grantee under this paragraph should all of the 25 eligible grantees receive awards: Provided further, That not less than 80 percent of the funds made available under this paragraph shall be used exclusively for abatement or control of lead-based hazards as defined by 42 U.S.C. 4851: Provided further, That of the total grant, up to 15 percent may be used for demonstrations, and up to 20 percent of such funds may be available for other lead-based paint hazards activities including risk assessments, testing and education: Provided further, That not more than 25 percent of the funds made available may be for grants to nonprofit, public, or privately-owned units and multifamily buildings that serve a majority of low-income housing residents.
families that are defined as low-income families as provided under section 3(b)(2) of the United States Housing Act of 1937: Provided further, That each major urban area shall submit an annual report to the Congress on the effectiveness of this demonstration program, concurrent with the submission of the congressional justifications for the budget of the Department of Housing and Urban Development. Provided further, That should legislation authorizing the urban lead hazard reduction demonstration program not be enacted by June 30, 2003, amounts made available under such demonstration program shall become available for any such purpose authorized under Title 1011 of the 1992 Housing and Community Development Act shall be transferred to the Working Capital Fund for the development of and modifications to, and infrastructure for Department-wide information technology systems, and for the continuing operation of both Department-wide and program-specific information technology systems. Provided further, That any amounts transferred to this Fund under this Act shall remain available until expended.

**CONSOLIDATED FUND (RECESSION)**

Of the balances remaining available from fees and charges under section 7(i) of the Department of Housing and Urban Development Act, as amended, for fiscal year 2002, $8,000,000 are rescinded.

**OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT**

**SALARIES AND EXPENSES**

**(INCLUDING TRANSFER OF FUNDS)**

For carrying out the Federal Housing Enterprise Oversight Act, the Secretary of Housing and Urban Development, and the Secretary of the Treasury, and not to exceed $500 for official reception and representation expenses, $30,000,000, to remain available until expended, for the Federal Housing Enterprises Oversight Fund: Provided, That not to exceed such amount shall be available from the general fund of the Treasury to incur obligations and make expenditures pending the receipt of collections to the Fund: Provided further, That the general fund amount shall be reduced by such amounts as are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

**ADMINISTRATIVE PROVISIONS**

Sec. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects and not rescinded or reallocated pursuant to the Stewart B. McKinney Homeless Assistance Amendments Act of 1998 (42 U.S.C. 1437 note) shall be rescinded, or in the case of any amounts made available under this Act, such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing agencies to reimburse local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred in accordance with such section. Notwithstanding the previous sentence, the Secretary may authorize up to 15 percent of the budget authority or cash recaptured and not remitted to the Secretary to be transferred to local housing agencies to assist project owners with incentives to refinance their project at a lower interest rate.

Sec. 202. None of the amounts made available under this Act may be used during fiscal year 2003 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in more personally, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing a violation of any legislative or executive or county of competent jurisdiction.

Sec. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act, nothing in this Act shall be construed to mean that any amounts made available under this title for fiscal year 2003 that are allocated under such section, the Secretary of Housing and Urban Development may make a grant, in the amount determined under subsection (b), for any State that—

1. received an allocation in a prior fiscal year under clause (i) of such section;

2. is not otherwise eligible for an allocation for fiscal year 2003 under such clause (i) because the areas in the State outside of the metropolitan statistical areas that qualify under such clause (i) in fiscal year 2003 do not have the number of cases of acquired immune deficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the relative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under subsection (i) of such section 854(c)(1)(A) in fiscal year 2003, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).
public housing, public housing agencies may
enter into loans or other financial obliga-
tions with financial institutions for the pur-
pose of financing the rehabilitation of a por-
tion of public housing or the development of
off-site of public housing in mixed income
developments (including demolition costs of
the public housing units to be replaced), pro-
vided that the number of public housing units
developed off-site replaces no less than an
equal number of on-site public housing
units in a project. Loans or other obligations
to entering into public housing units under this subsection shall be in such form and denominations,
have such maturities, and be subject to such
conditions as the Secretary may prescribe by regula-
tions issued by the Secretary.

(2) The Secretary may prohibit a public
housing agency from obtaining a loan under
this subsection if the Secretary determin-
ates that rehabilitation or replacement housing
proposed by a public housing agency is inconsis-
tent with its Public Housing Agency Plan, as
submitted under section 8, or the proposed terms of the
agency’s loan would constitute an unacceptable
risk to the public housing agency or for repayment of the loan under this subsection.

(3) Notwithstanding any other provision of
this title, funding allocated to a public
housing agency under subsections (d)(2) and (e)(2) for capital
operating funds is authorized for use in the pay-
ment of the principal and interest due (includ-
ing such servicing, underwriting or other costs
of capital, in the case of mortgage
funds) in the prior fiscal year
and shall be in such form and denominations,
have such maturities, and be subject to such
conditions as the Secretary may prescribe by regula-
tions issued by the Secretary.

(4) The amount of any loan or other obli-
gation entered into under this subsection shall not exceed in total the pro-rata amount of
funds allocated to the public
housing agency for the fiscal
year not to exceed 30 years under subsections (d)(2) and (e)(2) of this section on a per unit basis as a percentage of the number of units
that are designated to be rehabilitated or
replaced under this subsection by a public
housing agency as compared to the total
number of units in the public housing devel-
opment, as determined on the basis of funds
made available under such subsections (d)(2) and (e)(2) in the previous year. Any reduc-
tion in the total amount of funds provided to a public
housing agency under this subsection shall not reduce the amount of funds to be paid under a loan en-
tered into under this subsection, but shall reduce the capital and operating funds which are available for the other housing units in the public housing development in that fiscal year. Additional insur-
ance (including the receipt of rental income from
tenants, generated by the rehabilitated or
replaced units may be used to establish a loan loss reserve for the public housing agency
to assist in the repayment of loans or other obligations entered into under this subsection or to address any shortfall in the operating funds of the public hous-
ing agency in any fiscal year.

(5) Subject to appropriations, the Secre-
tary may use funds from the Public Hous-
ing Capital Fund to (A) establish a loan loss reserve account within the Department of Housing and Urban Development to mini-
imize the risk of loss associated with the
repayment of loans made under this subsection, or (B) makes grants to a public hous-
ing agency for capital investment needs or
for the creation of a loan loss reserve ac-
count. Loans made under this subsection shall
be replaced.

(6) The Secretary may, to the extent ap-
proved in appropriations Acts, assist in the
payment of all or a portion of the principal
and interest amount due under the loan or
other obligation entered into under this subsection, if the Secretary determines that the
public housing agency is unable to pay the
amount it owes because of circumstances
beyond the control of the public housing
agency.

(7) Any loan or other obligation (includ-
ing any mortgage instrument) entered into
under this subsection shall be subject to restric-
tions that ensure the units rehabilitated or
developed under this subsection shall be
reserved for occupancy by families eligible for
public housing assistance under this Act, and
the restrictions shall continue to apply to
these units upon any default or foreclosure.

(8) The Secretary is authorized to provide
mortgage insurance upon such terms and
conditions as may be appropriate to under-
write any loan or other obligation (including
any mortgage instrument) entered into
under this subsection. The Secretary shall
establish premiums to support the cost of
this mortgage insurance which shall be paid by public
housing agencies for funds
made available under subsections (d)(2) and (e)(2) of this section. The Secretary shall
establish all units subject to a loan or other
obligation entered into under this sub-
section as public housing upon any default and foreclosure and shall establish upon such terms and cond-
tions as may be appropriate to ensure re-
payment of amounts that are owed upon
default or foreclosure.

(9) If the Secretary determines that the
proviso shall not apply to the mort-
gage insurance or any mortgage
instruments only to the extent expressly provided for in this section.

(12) The amendment made by subsection (a)
shall be deemed to have taken effect on Oc-
tober 1, 1998.

(13) The amendment made by subsection (b)
shall be deemed to have taken effect on Oc-
tober 1, 2019.

(14) The amendment made by subsection (c)
shall be deemed to have taken effect on Oc-
tober 1, 2001.

(15) The amendment made by subsection (d)
shall be deemed to have taken effect on Oc-
tober 1, 2003.

(16) The amendment made by subsection (e)
shall be deemed to have taken effect on Oc-
tober 1, 2005.

(17) The amendment made by subsection (f)
shall be deemed to have taken effect on Oc-
tober 1, 2007.

(18) The amendment made by subsection (g)
shall be deemed to have taken effect on Oc-
tober 1, 2009.

(19) The amendment made by subsection (h)
shall be deemed to have taken effect on Oc-
tober 1, 2011.

(20) The amendment made by subsection (i)
shall be deemed to have taken effect on Oc-
tober 1, 2013.

(21) The amendment made by subsection (j)
shall be deemed to have taken effect on Oc-
tober 1, 2015.

(22) The amendment made by subsection (k)
shall be deemed to have taken effect on Oc-
tober 1, 2017.

(23) The amendment made by subsection (l)
shall be deemed to have taken effect on Oc-
tober 1, 2019.

(24) The amendment made by subsection (m)
shall be deemed to have taken effect on Oc-
tober 1, 2021.

(25) The amendment made by subsection (n)
shall be deemed to have taken effect on Oc-
tober 1, 2023.

(26) The amendment made by subsection (o)
shall be deemed to have taken effect on Oc-
tober 1, 2025.

(27) The amendment made by subsection (p)
shall be deemed to have taken effect on Oc-
tober 1, 2027.
under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105-276, or other vouchers), and that are in collaboration with the State, local, or tribal entities administering the programs under part A of title IV of the Social Security Act (42 U.S.C. 687 and therein) and under the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.) that serve families in the jurisdiction; and

(ii) has entered into a memorandum of understanding with the State, local, or tribal entities that administer the programs under part A of title IV of the Social Security Act (42 U.S.C. 687 and therein) and under the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.) that serve families in the jurisdiction; and

(ii) shall consult with the Secretary of Health and Human Services and the Secretary of Labor in determining additional criteria for states under this paragraph; and

(C) ADDITIONAL CRITERIA FOR GRANTEE SELECTION.—The Secretary—

(i) may establish criteria in addition to that established in subparagraph (B) for the selection of public housing agencies that are eligible to receive assistance under this paragraph; and

(ii) shall establish criteria in addition to that established in subparagraph (B) for the selection of public housing agencies that are eligible to receive assistance under this paragraph; and

(iii) shall consult with the Secretary of Health and Human Services and the Secretary of Labor in determining additional criteria for states under this paragraph; and

(D) ELIGIBLE FAMILIES.—Families selected to receive assistance under this paragraph shall be—

(i) receiving, or shall have received in the 2 years preceding the date on which the family was selected to receive assistance under this paragraph, assistance or other payments (including benefits provided by payments to third parties) or services funded under the Temporary Assistance for Needy Families (TANF) program under part A of title IV of the Social Security Act (42 U.S.C. 601, et seq.) or a State plan under a qualified State expenditure of a State under section 409(a)(1)(B)(i) of such Act; and

(ii) in need of housing voucher assistance as determined by the public housing agency or the Workforce Investment Agency in order to obtain housing in an area of greater employment opportunity or in proximity to a current place of employment or transpor-
tation to employment and overcome other barriers to obtaining or retaining employ-
ment.

(2) PRIORITY.—The Secretary shall give priority in awarding assistance under this paragraph to public housing agencies within a State—

(i) with jurisdiction that minimizes the need for the procedures established under subsection (r) to allow families to reside in areas with job opportunities; or

(ii) that demonstrate, to the satisfaction of the Secretary, the procedures under subsection (r) do not pose a barrier to the choice of housing for families.

SEC. 218. (a) Section 24(m)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437v(m)(1)) is amended by striking "$360,000,000" and all that follows through "vehicles", inserting "$361,000,000 for fiscal year 2003", and inserting "September 30, 2004". (b) Section 24(m) of the United States Housing Act of 1937 (42 U.S.C. 1437v(m)) is amended by striking "$302,000,000 for fiscal year 2002" and inserting "$307,400,000 for fiscal year 2003". SEC. 219. No funds in this Act or any other Act in any fiscal year may hereafter be used by the Secretary of Housing and Urban Development to waive any income eligibility restrictions on housing that has been assisted under section 8 of the United States Housing Act of 1937 unless explicitly authorized by law.

SEC. 220. The Director of the Office of Budget and Management and the Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommit-
ted, unobligated, and excess funds in each program and activity within the jurisdiction of the Department of Housing and Urban De-
velopment and shall submit additional, up-
dated information to such committees within 12 hours of any request.

SEC. 221. Section 204, as amended, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1997, Public Law 104-204 (12 U.S.C. 1715z-11a), is amended by inserting "or other sites as part of a revitalization plan that includes such a property" after the words "on the properties", and inserting "which shall be eligible whether vacant or" after the words "owner-occupied". SEC. 222. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2003 and an-
ually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under lease and the per unit cost of these units to the Department of Housing and Urban De-
velopment. This data shall cover all units that are assisted by funds made available under the “Housing Certificate Fund.” This report should be accurate within 30 days of submis-
sion.

SEC. 223. Notwithstanding the require-
ments regarding first-time homebuyers in section 8 of the United States Hous-
ing Act of 1990 (42 U.S.C. 12704), the Enter-
prise Housing Corporation of Maryland may use the remaining balance of the grant funds designated to the East-Baltimore Community of the City of Balti-
more, Maryland.

SEC. 224. The part of the HUD Community Development Block Grant to the State of Iowa which is administered by the Iowa De-
partment of Economic Development (grant number HED-1049) in 1999, was

granted by the Iowa Department of Eco-

nomic Development to Benton County, Iowa (Benton County contract number 01–WS–006– 99) to provide technical assistance and training

for the purpose of restoring and tak-

ing water to residences of southern Benton County through a distribution system con-

structed by Poweshiek Water Association, is exempt from the provisions of section 10(g)(2), (g)(3) and (g)(4) of title I of the Housing and Community Development Act of 1974, as amended.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise pro-

vided for, of the American Battle Monu-

ments Commission, including the acquisi-

tion of land or interest in land in foreign coun-

cies; purchases and repair of uniforms for

caretakers of national cemeteries and monu-

uments outside of the United States and its

territories and possessions; purchase of life

and garage space in foreign countries; purchase

(one for replacement only) and hire of pas-

senger motor vehicles; and insurance of offi-

cial motor vehicles for foreign countries, when

required by law of such countries, $30,400,000, to remain available until ex-

pended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION

BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out ac-

tivities pursuant to section 112(c)(b) of the Clean Air Act, as amended, including hire of

motor vehicles, uniforms or allowances

therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5307, $7,850,000, of which $7,350,000 is to remain available until September 30, 2003 and $500,000 is to remain available until Sep-

tember 30, 2004: Provided, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Ex-

ecutive Service positions.

Provided further, That, hereafter, there shall be an Inspector General at the Board who shall have the du-
ties, responsibilities, and authorities speci-
fied for the purposes of section 121 of the

 appropriations Act for fiscal year 2002, as amended: Provided further, That an indi-

vidual appointed to the position of Inspector General of the Federal Emergency Manage-

ment Agency (FEMA) shall, by virtue of such

appointment, also hold the position of In-

spector General of the Board: Provided fur-

ther, That the Inspector General of the Board shall have the duties, responsibilities, and authorities speci-
fied for the purposes of section 121 of the

 appropriations Act for fiscal year 2002, as amended.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL

INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL

INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5307, $7,350,000, to remain available until September 30, 2004, of which $5,000,000 shall be for technical assistance and training programs for the Pacific Islander, Native Hawaiian, and Alaskan Native communities and provided primarily through
Provided further, That not more than $10,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.), of which $10,000,000 shall be available for salary and representation expenses, $56,767,000.

INTERAGENCY COUNCIL ON THE HOMELESS
OPERATING EXPENSES

For necessary expenses for the Interagency Council on the Homeless, to remain available until September 30, 2004: Provided, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $11,000,000.

CONSUMER PRODUCT SAFETY COMMISSION
SALES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5756, purchase of nominal awards to recognize non-Federal officials’ contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $56,767,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
NATIONAL AND COMMUNITY SERVICE PROGRAMS
OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (the “Corporation”) in carrying out programs, activities authorized under the National and Community Service Act of 1990 (the “Act”) (42 U.S.C. 12501 et seq.), $605,842,000, to remain available until September 30, 2004: Provided, That the Corporation shall enroll no more than 50,000 members in the AmeriCorps programs: Provided further, That not more than $32,500,000 shall be available for administrative expenses authorized under section 501(a)(4): Provided further, That not more than $2,500 shall be available for official reception and representation expenses: Provided further, That not more than $15,000,000 shall be available for personnel and related costs and other expenses for personnel and related costs and other expenses for program services as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—Civil
CEREMONY EXPENSES
ARMY
SALES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not exceeding $1,000,000 for reception and representation expenses, $24,445,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 310 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $76,074,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY
TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(1), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, and section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $81,000,000, to be derived from the Hazardous Substance Superfund Trust Fund pursuant to section 517(a) of SARA (26 U.S.C. 9507): Provided, That notwithstanding any other provision of law, the term “qualified student loan” with respect to national service education awards shall mean any loan loaned by an institution of higher education to a student with unmet financial need to cover the student’s costs of attendance at an institution of higher education, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

OFFICE OF INSPECTOR GENERAL


ADMINISTRATIVE PROVISIONS

Notwithstanding any other provision of law, the term “qualified student loan” with respect to national service education awards shall mean any loan loaned by an institution of higher education to a student with unmet financial need to cover the student’s costs of attendance at an institution of higher education, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

ENVIRONMENTAL PROTECTION AGENCY
SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5903 and 5905; as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 7251–7298, $14,612,000 of which $1,045,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.
maximum rate payable for senior level positions under 5 U.S.C. 5378; procurement of laboratory equipment and supplies; other operating expenses in support of research and development, construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $707,203,000, which shall remain available until September 30, 2004.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, including administrative costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 5335; purchase for hire of space not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5378; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only, not otherwise provided for, not to exceed $19,000 for official reception and representation expenses; $2,136,569,000, which shall remain available until September 30, 2004, in accordance with the Brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $37,325,000, to remain available until September 30, 2004.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Executive Office of the President, not to exceed $42,918,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(Including transfers of funds)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(o)(3) and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; $1,272,888,000, to remain available until expended, consisting of $686,444,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-506, and $366,444,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 111(a) as amended; Provided further, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA; Provided further, That funds appropriated under this heading, $12,742,000 shall be transferred to the “Office of Inspector General” appropriation to remain available until September 30, 2004.

LEAKING UNDERGROUND STORAGE TANK TRUST

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $72,313,000, to remain available until expended.

OIL SPILL RESPONSE

For necessary expenses to carry out the Environmental Protection Agency’s responsibility under the Oil Pollution Act of 1990, $13,581,000, to be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,920,639,000, to remain available until expended, of which $1,425,000,000 shall be for leaking capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the “Act”); $375,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(c)(5) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous fiscal years, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $75,000,000 shall be for architectural, engineering, planning; design, construction, and related activities in connection with the construction of high priority water and wastewater facilities in the areas of the United States; $75,000,000 shall be for architectural, engineering, planning; design, construction, and related activities in connection with the construction of high priority water and wastewater facilities in the areas of United States-Mexico Border, after consultation with the appropriate border commission; $45,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; $3,000,000 shall be for remediation of above ground leaking fuel tanks pursuant to Public Law 106-554; $126,000,000, in addition to $2,241,450 previously appropriated under this heading in Public Law 106-74, shall be for making grants for the construction of wastewater and water treatment facilites and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the statement of the Committee on Appropriations submitted for the record acceptable to the President; $20,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; $1,123,835,000 shall be for grants, including support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media air monitoring, control, and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-184, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, $125,500,000 shall be for carrying out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including grants, interagency agreements, and associated program support costs; and $1,123,835,000 shall be for grants, including support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media air monitoring, control, and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-184, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, $125,500,000 shall be for carrying out section 128 of CERCLA, as amended: Provided, That for fiscal year 2003, State authority under section 302(a) of the Clean Water Act shall be deemed to be amended by striking every instance after “137.” in reference to item number 137 and inserting, “$7,379,550 for the City of Welch, West Virginia, for water and sewer extensions to the Indian River Industrial Park.”

ADMINISTRATIVE PROVISIONS

For fiscal year 2003, notwithstanding 31 U.S.C. 3301(1) and 3301(3), the Administrator of the Environmental Protection Agency, in carrying out the Agency’s function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

None of the funds appropriated or otherwise made available by this Act may be used to promulgate a final regulation to implement the payment of pesticide tolerance processing fees as published on June 9, 1999, in the Federal Register (64 Fed. Reg. pages 31040 through 31050). The Environmental Protection Agency shall promulgate a final regulation for the payment of pesticide tolerance processing fees no later than September 30, 2003. Any regulation promulgated to implement the provisions of the Pesticide Tolerance Processing Fee Act shall not require the payment of retroactive fees.

The Environmental Protection Agency may not use any of the funds appropriated or otherwise made available by this Act to implement the Registration Fee system codified at 40 C.F.R. part U (sections 152.400 et seq.) if its authority to collect maintenance fees pursuant to FIFRA section 4(i)(5) is extended for at least 1 year beyond September 30, 2002.

Section 1361–a of title 7 of the Code of Federal Regulations, which fee structure.

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out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6607), hire of passenger motor vehicles, and services as authorized by 31 U.S.C. 3106, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,368,000. COUNCIL ON ENVIRONMENTAL QUALITY AND NATIONAL ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $115,000 for official representation expenses, $2,031,000. Provided, That, notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions and duties as may be derived from the Act.

FEDERAL DEPOSIT INSURANCE CORPORATION OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, for fiscal year 2003, and for necessary expenses of the Inspector General of the Federal Emergency Management Agency, not to exceed $75,000,000, to remain available until expended:

$25,000,000, to remain available until September 30, 2004, including not more than $20,000,000 for expenses of the Inspector General in carrying out the work of emergency preparedness programs; to be deposited into the Inspector General Fund.

Emergency Management Planning and Assistance (Including Transfer of Funds)


NATIONAL FLOOD INSURANCE FUND (Including Transfer of Funds)

For activities under the National Flood Insurance Act of 1968 ("Act") and the Flood Disaster Protection Act of 1973, as amended, not to exceed $32,393,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $77,866,000 for administrative expenses and taxes, and (3) $40,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

Section 120(a)(2) of the Act (42 U.S.C. 4016(a)(2)), as amended, is further amended by striking "2002" and inserting "2007".

Section 1319 of the Act, as amended (42 U.S.C. 4026), is amended by striking "December 31, 2002" and inserting "December 31, 2007".

Section 1383(a) of the Act, as amended (42 U.S.C. 4096), is amended by striking "December 31, 2002" and inserting "December 31, 2007".

Section 1376(c) of the Act, as amended (42 U.S.C. 4127(c)), is amended by striking "December 31, 2002" and inserting "December 31, 2007".

The above 4 amendments will be deemed effective on January 1, 2003.

NATIONAL FLOOD MITIGATION FUND (Including Transfer of Funds)

Notwithstanding sections 1366(b)(2)(B) and 1566(f) of the National Flood Insurance Act of 1968, as amended, $20,000,000, to remain available until September 30, 2004, for activities designed to reduce the risk of flood damages to structures pursuant to the National Flood Insurance Fund, of which $20,000,000 shall be derived from the National Flood Insurance Fund.

GENERAL SERVICES ADMINISTRATION FEDERAL CONSUMER INFORMATION CENTER

For necessary expenses of the Federal Consumer Information Center, including services authorized by 5 U.S.C. 3109, $12,541,000, to be deposited into the Federal Consumer Information Center Fund. Appropriations, revenues, and collections deposited into the Fund shall be available for...
OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspectors General Act of 1978, as amended, $36,500,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", or "Science, aeronautics and technology" by this appropriation Act, which has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until September 30, 2003. This provi-
sion does not apply to the amounts appro-
riated for institutional minor revitalization and construction of facilities, and institu-
tional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", or "Science, aeronautics and technology" by this appropriation Act, the amounts appropriated for con-
fstruction of facilities shall remain available until September 30, 2003.

Notwithstanding any other limitations, the availability of funds appropriated for "Science, aeronautics and technology" may be used to purchase items proposed for acquisition in RFP-S- 5531-GE.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2003, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, 12 U.S.C. 1797 et seq., shall not exceed $1,500,000,000: Provided, That administrative expenses of the Central Liquidity Facility in fiscal year 2003 shall not exceed $1,500,000: Provided further, That none of the funds provided in fiscal year 2003 under the heading "Science, Aeronautics and Technology" may be used to purchase items proposed for acquisition in RFP-S-5531-GE.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolv-
ing Loan Fund program as authorized by 12 U.S.C. 951, 9622 and 9011, $1,000,000 shall be available: Provided, That $700,000, together with amounts of principal and interest on loans repaid, is available until expended for loans to community development credit unions and $300,000 is available until September 30, 2004 for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish the Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; and administrative services; $4,018,650,000, of which not to exceed $209,000,000 shall be available for salaries and expenses; and for research and support services, to the extent provided for in the National Science Foundation Act of 1950, as amended, $9,660,000, to remain available until September 30, 2004.
NEIGHBORHOOD REINVESTMENT CORPORATION
PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $110,000,000, of which $5,000,000 shall be for a homeownership program in conjunction with section 8 assistance under the United States Housing Act of 1937, as amended; and of which $500,000 may be for a multi-family rental housing program.

SELECTIVE SERVICE SYSTEM
SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of trained and trained-uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 1401–1418 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $20,480,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of section 411 U.S.C. 1417, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds provided by this Act shall be expended for or in connection with the induction of any person into the Armed Forces of the United States:

TITLE IV—GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: Provided, That this provision does not apply to accounts that do not contain an object classification for travel: Provided further, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of members of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: Provided further, That if appropriations in titles I, II, and III of this Act are expendable for any purpose within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been certified to the Congress, the list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract:

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein:

SEC. 403. None of the funds provided in this Act may be expended—(a) in the payment of any person into the Armed Forces of the United States for or in connection with the induction of any person into the Armed Forces of the United States unless—(1) the transportation of any person to such department or agency between the domicile and the place of employment of the officer or employee, with the exception of an officer or employee of any executive agency, as referred to in the definition of executive agency under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2) to provide a cook, chauffeur, or other personal servants to any officer or employee of such department or agency: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research:

SEC. 404. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether or not such consultant is a consultant retained by the grantee at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law:

SEC. 405. None of the funds provided in this Act may be used to pay the expenses of, or otherwise compensate, non-Federal parties that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research:

SEC. 406. No funds appropriated in this Act may be used, directly or through grants, to employ or otherwise compensate any consulting service that is used in conjunction with a program that is used in conjunction with a program to pay the expenses of, or otherwise compensate, non-Federal parties that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research:

SEC. 407. None of the funds provided in this Act may be used to pay the expenses of, or otherwise compensate, non-Federal parties that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research:

SEC. 408. Except as otherwise provided under existing law, or an existing Executive Order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available database prepared into which is entered information relating to contracts entered into within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been certified to the Congress, the list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract:

SEC. 409. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency (1) has solicited and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report required pursuant to such contract, to contain information concerning: (A) the contract pursuant to which the report was prepared; (B) the contractor who prepared the report pursuant to such contract:

SEC. 410. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of the Congress approve within 30 days following the date on which the report is received:

SEC. 411. None of the funds appropriated in this Act may be used to pay the expenses of, or otherwise compensate, non-Federal parties that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research:

SEC. 412. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs resulting from the receipt of any Federal grant or cooperative agreement to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the agency:

SEC. 413. Such sums as may be necessary for fiscal year 2003 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act:

SEC. 414. None of the funds made available in this Act may be used for any program, project, or activity, which is known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with all Federal laws relating to the protection of private property rights, or unfunded mandates:

SEC. 415. Except in the case of entities that are funded solely with Federal funds or any natural persons that are funded under this Act, none of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research:

SEC. 416. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, or for any purpose of an lobbying of the Federal Government or in litigation against the United States unless authorized under existing law:

SEC. 417. All Departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities:

SEC. 418. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109:

SEC. 419. None of the funds provided in this Act to any department or agency shall be obligated or expensed to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of 20 miles:

SEC. 420. Notwithstanding 42 U.S.C. 5196c, amounts provided in Public Law 107–117 and subsequent appropriations Acts for the construction or operation of emergency centers (or similar facilities) shall only require a 25 percent match non-Federal share.
SEC. 421. Subsection (b) of section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended by adding at the end the following new paragraph (12):

"(12) eligible for the designation of a center for homeland security, the Secretary shall in- voke in lieu thereof ''g'' in the word ''Gifts'' in the second sentence, and by section 93 of title 14, United States Code, as amended—"

DIVISION L—HOMELAND SECURITY ACT OF 2002 AMENDMENTS

SEC. 101. GENERAL.—The Homeland Security Act of 2002 (Public Law 107–296) is amended—

(1) in section 308, by striking subsections (a) through (c)(1)(A) and inserting in lieu thereof the following:

"(a) Designation.—The Secretary, acting through the Under Secretary for Science and Technology, shall designate a university-based center or center for homeland security, the purpose of which is to enhance the Nation’s homeland security.

(b) Criteria for designation.—The Secretary shall not designate a center for homeland security as a center for homeland security, shall include, but are not limited to, demonstrated expertise in—

(i) military and plant health and diagnostics.

(ii) Food safety.

(iii) Water and wastewater operations.

(iv) Multi-modal transportation.

(v) Information security and information engineering.

(vi) Engineering.

(vii) Educational outreach and technical assistance.

"(iv) Border transportation and security.

"(v) Public policy implications and public dissemination of homeland security research and development.

"(vi) Disaster response and recovery.

"(vii) Enhanced public protection and community resilience.

"(viii) Economic development.

"(ix) Multi-modal transportation.

"(x) Chemical, biological, radiological, and nuclear countermeasures or detection.

"(xi) Emergency and diagnostic medical services.

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"(vi) Enhanced public protection and community resilience.

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“Military Construction, Air Force” is reduced by $18,900,000, and the total amount appropriated under the heading “Military Construction, Air Force Reserve” is increased by $18,900,000.

SEC. 105. (a) Of the funds appropriated in Public Law 107–249 for “Military Construction, Air Force Reserve,” $15,000,000 for land acquired at Nellis Air Force Base, Nevada, may be transferred by the Secretary of the Air Force to the United States Fish and Wildlife Service to fulfill the obligations of the Air Force under section 301(b)(5)(F) of the Military Lands Withdrawal Act of 1999. Upon receipt by the Service of the funds transferred in this paragraph, the obligations of the Department of the Air Force shall be considered fulfilled.

(b) The United States Fish and Wildlife Service may grant funds received by the Service under subsection (a) in a lump sum to the National Fish and Wildlife Foundation for use in accomplishing the purposes of section 301(b)(5)(F) of the Military Lands Withdrawal Act of 1999. Funds received by the Foundation for the purposes of the previous paragraph shall be subject to the provisions of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)).


SEC. 110. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of the National Security Act of 1947 (50 U.S.C. 414).

TITLE II
PRICE-ANDERSON ACT AMENDMENTS

SEC. 201. SHORT TITLE.
This title may be cited as the “Price-Anderson Amendments Act of 2002”.

SEC. 202. EXTENSION OF INDENTIFICATION AUTHORITY.
(a) INDENTIFICATION OF NUCLEAR REGULATORY COMMISSION LICENSEES.—Section 170 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(c)) is amended—

(1) in the heading, by striking “LICENSEES” and inserting “LICENSEES”;

(2) by striking “August 1, 2002” each place it appears and inserting “August 1, 2007”;

(b) INDEMNIFICATION OF DEPARTMENT OF ENERGY CONTRACTORS.—Section 170 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)) is amended by striking “August 1, 2002” and inserting “August 1, 2007”.

(c) INDEMNIFICATION OF NONPROFIT EDUCATIONAL INSTITUTIONS.—Section 170 k. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(k)) is amended by striking “August 1, 2002” each place it appears and inserting “August 1, 2007”.

(d) EFFECTIVE DATE.—The indemnification authority extended by this section shall apply to nuclear incidents occurring on or after August 1, 2002.

SEC. 203. MAXIMUM ASSESSMENT.
Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) is amended—

(1) in the second proviso of the third sentence of subsection (b), by striking “$63,000,000” and inserting “$94,000,000”;

(2) by striking “$10,000,000 in any 1 year” and inserting “$15,000,000 in any 1 year” (subject to adjustment for inflation under subsection (c)); and

(3) in subsection (t), (A) by inserting “total and annual” after “amount of the indemnity”;

(b) by striking “the date of the enactment of the Price-Anderson Amendments Act of 1988” and inserting “July 1, 2002”;

(c) by striking “the date of enactment” and inserting “July 1, 2002”.

SEC. 204. DEPARTMENT OF ENERGY LIABILITY LIMITATION.
(a) INDEMNIFICATION OF DEPARTMENT OF ENERGY CONTRACTORS.—Section 170 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)) is amended by striking paragraph (2) and inserting the following:

“(2) In an agreement of indemnification entered into under paragraph (1), the Secretary—

(A) may require the contractor to provide and maintain financial protection of such a type and in such amounts as the Secretary shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity; and

(B) shall indemnify the persons indemnified against any liability above the amount of the financial protection required, in the amount of $100,000,000, subject to adjustment for inflation under subsection (t), in the aggregate, for all persons injured in connection with the contract and for each nuclear incident, including such legal costs of the contractor as are approved by the Secretary.

(b) CONTRACT AMENDMENTS.—Section 170 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)) is further amended by striking paragraph (3) and inserting the following:

“(3) All agreements of indemnification under which the Department of Energy or the Secretary of Energy is required to indemnify any person under this section shall be subject to the provisions of the Price-Anderson Amendment of 2002, to reflect the amount of indemnity for public liability and any applicable financial protection required of the contractor under this subsection.”

SEC. 205. INCIDENTS OUTSIDE THE UNITED STATES.
(a) AMOUNT OF INDEMNIFICATION.—Section 170 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)(5)) is amended by striking “$100,000,000” and inserting “$500,000,000”.

(b) LIABILITY LIMIT.—Section 170 e. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(e)(4)) is amended by striking “$100,000,000” and inserting “$500,000,000”.

SEC. 206. REPORTS.
Section 170 p. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) is amended by striking “August 1, 1998” and inserting “August 1, 2013”.

SEC. 207. INFLATION ADJUSTMENT.
Section 170 t. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(t)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by adding after paragraph (1) the following:

“(2) The Secretary shall adjust the amount of indemnification provided under an agreement of indemnification under subsection (d) not less than once during each 5-year period following July 1, 2002, in accordance with the aggregate percentage change in the Consumer Price Index since—

(A) that date, in the case of the first adjustment under this paragraph; or

(B) the previous adjustment under this paragraph.”

SEC. 208. TREATMENT OF MODULAR REACTORS.
Section 170 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(b)) is amended by adding at the end the following:

“(B) For purposes of this section only, the Commission shall consider a combination of facilities described in subparagraph (A) to be a single facility having a rated capacity of 100,000 electrical kilowatts or more.

(B) A combination of facilities referred to in subparagraph (A) shall be considered a single facility located at a single site, each of which has a rated capacity of 100,000 electrical kilowatts or more but not more than 300,000 electrical kilowatts, with a combined rated capacity of not more than 1,300,000 electrical kilowatts.”

SEC. 209. APPLICABILITY.
The amendments made by sections 203, 204, and 205 do not apply to a nuclear incident that occurs before the date of the enactment of this Act.

DIVISION N—EMERGENCY RELIEF AND OFFICIAL TRAVEL

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—ELECTION REFORM

SEC. 101. (a) In addition to amounts otherwise made available in this Act, $1,500,000,000...
is appropriated to establish an election reform grant program to provide assistance to States and localities in improving election technology and the administration of Federal elections.

TITLE II—EMERGENCY AGRICULTURAL ASSISTANCE

SEC. 201. SHORT TITLE.
This title may be cited as the “Emergency Agricultural Assistance Act of 2003”.

SEC. 202. DEFINITIONS.
In this title:

(1) COVERED COMMODITY.—The term “covered commodity” means the meaning given the term in section 1001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901).

(2) ELIGIBLE INNONSURFACE COMMODITY.—The term “eligible nonsurface commodity” means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(3) INSURABLE COMMODITY.—The term “insurable commodity” means an agricultural commodity (excluding livestock) produced in an area that is eligible for coverage under a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

SEC. 203. SUPPLEMENTAL DIRECT PAYMENTS.
(a) In general.—The Secretary shall make payments to producers on farms that are eligible for direct payments for the 2002 crop of each covered commodity and peanuts under section 1103 and 1303, respectively, of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913, 7953).

(b) Amount.—The amount of the direct payment the producers on a farm under this section shall be equal to 42.25 percent of the amount of the direct payment made to the producers on a farm under this section.

(1) to obtain at least catastrophic risk protection coverage for each insurable commodity produced on the farm for the next 2 crop years for which crop insurance is available under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), as determined by the Secretary; and

(2) on violation of the contract, to repay to the Secretary any payment received under this section; and

(2) made available under such terms and conditions as the Secretary determines are appropriate to assist producers of fruits and vegetables (including nuts).

SEC. 207. COTTONSEED.
The Secretary shall use $50,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers of cottonseeds.

SEC. 208. HURRICANE ASSISTANCE.
(a) In general.—In a State in which a major disaster is declared by the President or Secretary as a result of damaging weather or related condition, the Secretary shall make available to first-handers of the 2002 crop of cottonseed.

(b) Administration.—The Secretary, acting through the Texas Department of Agriculture, to provide assistance to sugar beet producers that suffered production losses (including quality losses) for the 2002 crop year, as determined by the Secretary.

SEC. 211. ASSISTANCE TO AGRICULTURAL PRODUCERS LOCATED ALONG RIO GRANDE FOR WATER LOSSES.
(a) In general.—The Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to make a grant to the State of Texas, acting through the Texas Department of Agriculture, to provide assistance to agricultural producers in the State of Texas with farming operations along the Rio Grande that have suffered economic losses due to the failure of Mexico to deliver water to the United States in accordance with the Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, and Supplementary Protocol signed November 14, 1944, signed at Washington February 3, 1944 (59 Stat. 1219; TS 994).

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

SEC. 212. FUNDING.
(a) In general.—The Secretary shall use not more than $1,650,000 of funds of the Commodity Credit Corporation to reimburse agricultural producers on farms located in the vicinity of Malaga, New Mexico, for losses incurred during calendar years 2002 and 2003 as the result of the spraying Federal Government of tebuthiuron on crops of the producers during August 2002, to remain available until expended.

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

SEC. 213. REGULATIONS.
(a) In general.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) Effective date.—The promulgation of the regulations and administration of this title shall be made without regard to—
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(1) the notice and comment provisions of section 553 of title 5, United States Code;
(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 19884), relating to notices of proposed rulemaking and public participation in rulemaking; and
(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall, in the manner provided under section 808 of title 5, United States Code.

TITLE III—WILDLAND FIRE EMERGENCY
DEPARTMENT OF THE INTERIOR
Wildland Fire Management

For an additional amount to repay prior year advances from other appropriations transferred for wildland suppression and emergency rehabilitation by the Department of the Interior, $189,000,000, to remain available until expended.

RELATED AGENCY
DEPARTMENT OF AGRICULTURE
Forest Service

Wildland Fire Management

For an additional amount to repay advances from other appropriations from which funds were transferred for wildland suppression and emergency rehabilitation activities, $356,897,000, to remain available until expended.

CODE OF FEDERAL REGULATIONS

SECTION 501. FISHERIES DISASTERS.—In addition to funds made available pursuant to the Emergency Rehabilitation Act (42 U.S.C. 1395w–4(d)), $10,000,000 shall be made available to conduct a voluntary fishing capacity reduction program in the Northeast multispecies fishery and $10,000,000 shall be made available to conduct a voluntary fishing capacity reduction program in the West Coast groundfish fishery. Such sums shall be voluntary capacity reduction program authorized for the fishery in Sec. 211 of Public Law 107–206 and be consistent with section 312(b) of Magnuson-Stevens Fishery Conservation and Management Act and the requirements relating to the capacity program in section 211 of Public Law 107–206 that shall—

(1) permanently revoke all fishery licenses, fishery permits, area and species endorsements, and any other fishery privileges related to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program; and

(2) ensure that vessels removed under the program are made permanently ineligible to participate in any fishery worldwide, and that the owners of such vessels will operate only under the United States flag or be scrapped as a reduction vessel pursuant to section 603.101(c) of title 50, Code of Federal Regulations.

SECTION 402. SPECIFICATION OF THE CONVERSION FACTOR FOR PAYMENTS UNDER THE MEDICARE INPATIENT HOSPITAL PROSPECTIVE PAYMENT SYSTEM. (a) IN GENERAL.—Notwithstanding the determination of the Secretary that amounts under paragraph (3)(A) of section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)(4)) for purposes of making payments under such section for discharges occurring during the period beginning on April 1, 2003, and ending on September 30, 2003, the standardized amount applicable under such paragraph for hospitals located other than in a large urban area for that period shall be increased to an amount equal to the standardized amount otherwise applicable under such paragraph for hospitals located in a large urban area for that period.

(b) NO EFFECT ON PERIODS BEYOND SEPTEMBER 30, 2003.—The increase in the standardized amount for hospitals located other than in a large urban area provided for under subsection (a) for the period beginning on April 1, 2003, and ending on September 30, 2003, shall not apply to discharges occurring after such period, and shall not be taken into account in calculating the payment amounts applicable for discharges occurring after such period.

TITLE V—FISHERIES DISASTERS

SEC. 501. FISHERIES DISASTERS.—In addition to amounts appropriated or otherwise made available, $100,000,000 is appropriated—

(1) to assist the shrimp industries in the states of Mississippi, Texas, Alabama, Louisiana, and Florida in proportion to the percentage of the shrimp catch landed by each state for economic assistance to the South Atlantic shrimp fishery; Provided, That the State of Florida shall receive only that proportion associated with landings of the Florida east coast fishery; and

(2) $17,500,000 shall be made available for assistance to the shrimp industries in the states of Mississippi, Texas, Alabama, Louisiana, and Florida in proportion to the percentage of the shrimp catch landed by each state for economic assistance to the Gulf shrimp fishery; Provided, That the State of Florida shall receive only that proportion associated with landings of the Florida gulf coast fishery; Provided further, That 2 percent of funds received by each state shall be reserved for a demonstration of additional payments to fishermen with a demonstrated record of compliance with turtle excluder and bycatch reduction device regulations.
fishing industry; (C) domestic product marketing and seafood promotion; (D) state seafood testing programs; (E) development of limited entry programs for the fishery; (F) funding of other initiatives to enhance the spread and proper use of turtle excluder devices and bycatch reduction devices in the fishery; and (G) voluntary capacity reduction programs for shrimp fisheries under limited access.

(d) BLUE CRAB FISHERY—$5,000,000 shall be made available for assistance to blue crab fisheries to reduce harvests and sales of blue crab in proportion to the amount of the catch landed by each state. Provided. That such funds may be used only for: (A) assistance with priority given to food, energy needs, housing assistance, transportation fuel, and other urgent needs; (B) assistance for small businesses including processors, and related businesses serving the fishing industry; (C) domestic product marketing and seafood promotion; and (D) state seafood testing programs.

CHAPTER 2
DEPARTMENT OF JUSTICE
GENERAL ADMINISTRATION
SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $83,000,000, to remain available until expended, only for the Entry Exit System, to be managed by the Justice Management Division: Provided. That none of the funds appropriated in this Act, or in Public Law 107–117, for the Immigration and Naturalization Service’s Entry Exit System may be used for forensic or other tests unless the Secretary submits a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget under OMB Circular A–11, part 3; (2) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (3) is reviewed by the General Accounting Office; and (4) has been approved by the Committees on Appropriations: Provided further. That funds provided under this heading shall only be available for obligation and expenditure in accordance with the procedures applicable to reprogramming notifications set forth in section 605 of Public Law 107–77.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For an additional amount for "Salaries and Expenses", $37,000,000, to remain available until expended, for increased security requirements associated with terrorist and other high threat trials.

FEDERAL BUREAU OF INVESTIGATION
SALARIES AND EXPENSES

For a additional amount for "Salaries and Expenses", $200,000,000, to remain available until expended: Provided. That of the amount made available under this heading, $46,000,000 shall only be for aviation costs, $12,500,000 is provided for additional cybercrime, counterterrorism, and counter-intelligence analytical support staff, $20,000,000 for the Drug Enforcement Administration’s (DEA) Special Operations Divisions, $12,000,000 for language translation services, $49,121,000 for investigative data warehousing, $16,435,000 for information technology, $12,000,000 for collaborative capabilities, $7,500,000 for FBI HQ continuity of operations; $8,000,000 for digital storage and retrieval of documents related to counterterrorism investigations, $6,444,000 for mainframe upgrades, $4,000,000 for data mining and visualization, and $19,400,000 for the National Infrastructure Protection Center Special Technologies and Applications Unit, $8,000,000 for white collar crime squads and $3,100,000 for Computer Analysis and Response Team equipment.

IMMIGRATION AND NATURALIZATION SERVICE
SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $83,250,000, to remain available until expended, of which $25,000,000 shall be only for apprehending aliens, of which $25,000,000 shall be only for fleet management, and of which $5,000,000 shall be only for pay upgrades for Border Patrol agents and Immigration Inspectors.

CONSTRUCTION

For an additional amount for "Construction", $297,100,000, to remain available until expended.

OFFICE OF JUSTICE PROGRAMS
COMMUNITY ORIENTED POLICING SERVICES

For an additional amount for the Community Oriented Policing Services’ Interoperable Communications Technology Program in consultation with the Office of Science and Technology within the National Institute of Justice, and the Bureau of Justice Assistance, for emergency expenses for activities related to combating terrorism by providing grants to States and localities to improve communications within, and among, law enforcement and other first responder agencies, $150,000,000, to remain available until expended.

DEPARTMENT OF COMMERCE
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For an additional amount for "Scientific and Technical Research and Services" for emergency expenses resulting from new homeland security activities and increased security requirements, $33,100,000 is for a cyber-security initiative.

DEPARTMENT OF STATE
EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for "Embassy Security, Construction, and Maintenance", $51,100,000, to remain available until expended for site acquisition.

CHAPTER 3
DISTRICT OF COLUMBIA FEDERAL FUNDS

FEDERAL PAYMENT TO THE CHILDREN’S NATIONAL MEDICAL CENTER

For a Federal payment to the Children’s National Medical Center in the District of Columbia, for implementing the District Emergency Operations Plan, $17,000,000, for the expansion of quarantine and decontamination facilities for children and families.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia to implement the District Emergency Operations Plan, $17,000,000, of which $12,000,000 is for the Unified Communications Center: Provided. That $5,000,000 is for the construction of containment facilities and other activities to support the regional Bio-terrorism Hospital Preparedness Program at the Washington Hospital Center.

FEDERAL PAYMENT TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For a Federal payment to the Washington Metropolitan Area Transit Authority, $12,000,000, of which $7,500,000 is to expand the chemical emergency sensor and decontamination programs: Provided. That $2,000,000 is to be used for a feasibility study of constructing a regional back-up operations control center: Provided further, That the Chief Executive Officer of the Washington Metropolitan Area Transit Authority shall, in consultation with the study and plans for the future financing of a regional transportation back-up
operations control center no later than Feb-
uary 5, 2004 to the Committee on Appropri-
tions of the House of Representatives and Senate.

FEDERAL PAYMENT TO THE METROPOLITAN
WASHINGTON COUNCIL OF GOVERNMENTS
For a Federal payment to the Metropolitan Washington Council of Governments, $1,750,000 for support of the Regional Inci-
dent Communication and Coordination Sys-
tem, as approved by the Council.

FEDERAL PAYMENT TO THE WATER AND SEWER
AUTHORITY OF THE DISTRICT OF COLUMBIA
For a Federal payment to the Water and Sewer Authority of the District of Columbia for emergency preparedness, $2,500,000, of which $1,800,000 shall be for remote mon-
toring of water security: Provided, That $600,000 shall be used for a ventilation sys-
tem at the Main Pumping Station: Provided further, That $100,000 shall be used to expand the Incident Response Plan.

CHAPTER 4
DEPARTMENT OF DEFENSE—CIVIL
DEPARTMENT OF THE ARMY CORPS OF ENG-
INEERS—CIVIL OPERATION AND MAINTE-
ANCE, GENERAL
For an additional amount for “Operation and Maintenance, General” for emergency expenses, $108,200,000, to remain available until expended: Provided, That funds made available under this Act and in Public Law 107-117 may be used to fund measures and activities undertaken by the Secretary of the Army, acting through the Chief of Engineers, to protect and secure any infrastructure owned or operated by, or on behalf of, the U.S. Army Corps of Engineers, including administrative buildings and fac-
ilities.

DEPARTMENT OF ENERGY
ENERGY PROGRAMS
SCIENCE
For an additional amount for “Science for emergency expenses necessary to support safeguards and security activities, $25,000,000, to remain available until ex-
pended.

ATOMIC ENERGY DEFENSE ACTIVITIES
NATIONAL NUCLEAR SECURITY
ADMINISTRATION
WEAPONS ACTIVITIES
For an additional amount for “Weapons Activities” for emergency expenses, $155,000,000: Provided, That $25,000,000 of the funds provided shall be available for secure transportation asset activities: Provided further, That $35,000,000 shall be available for construction of new ramp facilities at the National Center for Combating Terrorism: Provided further, That $50,000,000 of the funds provided shall be available to meet increased safeguard and security needs throughout the nuclear weapons complex, including at least $25,000,000 for cyber security.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES
DEFENSE ENVIRONMENTAL RESTORATION AND
WASTE MANAGEMENT
For an additional amount for “Defense En-
vironmental Restoration and Waste Manage-
ment” for emergency expenses necessary to support safeguards and security activities, $56,000,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS
For an additional amount for “Defense Fa-
cilities Closure Projects” for emergency ex-
penses necessary to support safeguards and security activities, $15,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES
For an additional amount for “Other De-
fense Activities” for emergency expenses

needed to conduct critical infrastructure as-

sements at critical energy supply facilities

wide, $50,000,000, to remain available until expended: Provided, That $25,000,000 of the funds made available shall be provided to the National Infrastructure Simulation and Analysis Center: Provided further, That $25,000,000 of the funds made available shall be provided to the National Energy Tech-

ology Laboratory.

CHAPTER 5
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CONSTRUCTION
For an additional amount for “Construc-
tion”, $17,651,000, to remain available until expended, for security improvements at the Washington Monument and the Jefferson Memorial in Washington, DC.

CHAPTER 6
DEPARTMENT OF HEALTH AND HUMAN
SERVICES
OFFICE OF THE SECRETARY
PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND
For additional amounts to respond to the September 11, 2001 terrorist attacks on the United States for “Public Health and Social Services Emergency Fund” for baseline and follow-up screening and clinical examinations, long-term health monitoring and analy-

sis for the emergency services personnel, rescue and recovery personnel, $90,000,000, to remain available until expended.

For additional amounts for grants to state and local health departments to support activities related to immunizing first respond-
ers against smallpox, $850,000,000: Provided, That this amount is transferred to the Cen-
ters for Disease Control and Prevention.

CHAPTER 7
DEPARTMENT OF TRANSPORTATION
TRANSPORTATION SECURITY ADMINISTRATION
SALARIES AND EXPENSES
For additional amounts for necessary ex-
penses of the Transportation Security Ad-
miration related to transportation secu-

rity services pursuant to Public Law 107-71, $1,723,000,000, to remain available until Sep-
tember 30, 2004, of which not less than $556,000,000 shall be available for port secu-
rity grants for the purpose of implementing the provisions of the Maritime Transpor-
tation Security Act of 2002; that $200,000,000 shall be available for the costs associated with the modification of airports to comply with the provisions of the Aviation and Transportation Security Act, not less than $129,000,000 shall be available for Operation Safe Commerce, not less than $300,000,000 shall be available for grants to public transit agencies in urbanized areas for enhancing the security of transit facilities against chemical, biological and other terror-

ist threats, and not less than $100,000,000 shall be available to compensate U.S. flag car-

riers for the costs of the hardening aircraft cock-

pit doors.

UNITED STATES COAST GUARD
ACQUISITION, CONSTRUCTION, AND
IMPROVEMENTS
For additional amounts for acquisition of additional Coast Guard coastal patrol boats, $40,000,000, to remain available until Sep-

CHAPTER 8
DEPARTMENT OF THE TREASURY
FEDERAL LAW ENFORCEMENT TRAINING
SALARIES AND EXPENSES
For an additional amount for “Salaries and Expenses” for expenses of expanded law

enforcement training workload resulting from the September 11, 2001 terrorist attacks against the United States, $15,870,000, to re-

main available until expended.

UNITED STATES CUSTOMS SERVICE
SALARIES AND EXPENSES
For an additional amount for “Salaries and Expenses”, $104,600,000, to remain avail-

able until expended; of the total, not to ex-

ceed $47,000,000 shall be available for the Con-
tainer Security Initiative; not to exceed $15,000,000 shall be available for pay parity; and not to exceed $42,600,000 shall be avail-

able for northern and southern border port-
of-entry infrastructure.

UNITED STATES SECRET SERVICE
SALARIES AND EXPENSES
For an additional amount for “Salaries and Expenses” for expenses related to the September 11, 2001 terrorist attacks against the United States, $29,500,000, to remain available until expended.

INDEPENDENT AGENCY
GENERAL SERVICES ADMINISTRATION
POLICY AND CITIZEN SERVICES
For an additional amount for Government-
wide telecommunications, information-security activities and initiatives, $25,000,000, to re-

main available until expended.

CHAPTER 9
INDEPENDENT AGENCIES
DEPARTMENT OF HEALTH AND HUMAN
SERVICES
NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ENVIRONMENTAL
HEALTH SCIENCES
For an additional amount for “National In-
stitute of Environmental Health Sciences”, $4,000,000, to carry out research in section 311(a) of the Comprehensive Environ-
mental Response, Compensation, and Liabil-
ity Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Re-

AGENCY FOR TOXIC SUBSTANCES AND DISEASE
REGISTRY
TOXIC SUBSTANCES AND ENVIRONMENTAL
PUBLIC HEALTH
For an additional amount for “Toxic sub-
stances and environmental public health”, $11,300,000, of which $9,500,000 is for addi-
tional expenses incurred in response to the September 11, 2001, terrorist attacks on the United States, and of which $1,800,000 is to enhance the States’ capacity to respond to chemical terrorism events.

ENVIRONMENTAL PROTECTION AGENCY
SCIENCE AND TECHNOLOGY
For an additional amount for “Science and technology”, $50,000,000, to carry out the

Federal Emergency Management Agency
EMERGENCY MANAGEMENT PLANNING AND
ASSISTANCE
For an additional amount for “Emergency management planning and assistance” for emergency expenses to respond to the Sep-
tember 11, 2001, terrorist attacks on the United States, $156,000,000.

This division may be cited as the “Home-

land Security Supplemental Appropriations Division”, of this joint resolution.

SA 3. Mr. WYDEN (for himself and Mr. REID) submitted an amendment inten-
ded to be proposed by him to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other pur-
poses; which was ordered to lie on the table; as follows:

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At the appropriate place, insert the following: "Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 6 p.m., Thursday, January 16. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of H.J. Res. 2 as under the order.

The PRESIDING OFFICER. Without object, it is so ordered.

ORDERS FOR THURSDAY, JANUARY 16, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate stand in adjournment until 10 a.m., Thursday, January 16. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of H.J. Res. 2 as under the order.

The PRESIDING OFFICER. Without object, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, on Thursday, there will be 2 hours of debate in relation to the pending Byrd amendment regarding homeland security. Members should therefore expect a rollcall vote at approximately 12 or 12:30 p.m. in relation to the Byrd amendment. It would be advisable of additional amendments and, therefore, additional votes are expected during the course of Thursday’s session. A late night is contemplated in order to make substantial progress or perhaps even to complete action on the omnibus appropriations bill.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:27 p.m., adjourned until Thursday, January 16, 2003, at 10 a.m.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases where the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

Finally, I ask unanimous consent that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.