to a lot of children—children who otherwise would not have access to immunizations, well-baby visits, and yearly checkups.

While my colleagues and I have agreed to forgo the appropriations procedures to move this package, we certainly have not abandoned our effort to restore the funding. In fact, we are more committed than ever to seeing the S–CHIP funding re-stored and have added the support of the states impacted and chairs of the Finance and Budget Committees. Adding their endorsement to this effort, which already has garnered strong bipartisan support, will help to speed its passage.

In closing, I would like to highlight a quote from Secretary Thompson when his agency released the positive new data I referenced earlier regarding the level of health insurance for children in our state. Unfortunately, the more children are getting the health care they need, thanks in large measure to our success in working with States to expand health coverage through the S–CHIP program. We are giving the flexibility to assure they need to continue to expand coverage to more children, and our strategy is paying off for children and parents alike."

This strong endorsement of S–CHIP should act as an impetus to getting this policy enacted and ensuring that we do so in a timely fashion. Again, I appreciate the support of my colleagues and look forward to working with you as we move forward to enact this policy.

Mr. GRASSLEY. I thank my colleagues for their attention to this important children’s care policy. They are correct that something must be done to address the funds that have and will revert to the Treasury in the near future. They are also correct to the constraints within the omnibus bill. I strongly support the State Children’s Health Insurance Program. It is a program that provides health care for over 36,000 low-income children in my State.

Senators CHAFFEY, SNOWE, and ROCKEFELLER are looking to address a necessary maintenance issue within S–CHIP. As Senator SNOWE noted, I work very closely with Senator NICKLES, Senator CHAFFEY, Senator ROCKEFELLER, Chairman TAUZIN, and Representative DINGELL on a bipartisan, bicameral proposal that would have addressed expired S–CHIP funds. The proposal reflected a balanced approach to redistributing S–CHIP funding taking into account that some States are spending through their existing allotments and other States are running up their programs and will need additional funding in the years to come.

This proposal did not pass the Senate last year, but it is a fair approach to redistributing S–CHIP funds. Unfortunately, I cannot support including this policy at this time. The omnibus is a poor vehicle for this necessary maintenance.

I am sympathetic to the intent of this policy, although this is neither the time nor the place to address this issue. The Senate and the House have an agreement with the administration to keep the omnibus appropriations bill under $750 billion. The S–CHIP policy costs over $1.2 billion in budget authority in 2003. An amendment of this nature would break that agreement and that is simply not acceptable. I appreciate the willingness of Senators SNOWE, CHAFFEY, and ROCKEFELLER to accept this reality.

I assure my colleagues that I will work with them in the near future to update the S–CHIP redistribution policy in the near future as chairman of the Finance Committee. It is my understanding that Senator NICKLES, the chairman of the Budget Committee, is also interested in a regular order approach and that he is interested in putting money aside in the budget to address this issue.

With this in mind, I believe the most appropriate way to address this issue is to work with the chairman of the Budget Committee, Senator NICKLES, to seek sufficient funding for this bipartisan S–CHIP proposal and then to add it in the Finance Committee. I will also continue my work with Energy and Commerce Committee Chair TAUZIN, so the Senate and the House can move forward in a coordinated fashion.

I assure my colleagues that I will work with them once the Budget Resolution for fiscal year 2004 has been adopted to move legislation quickly through the Finance Committee. It is my understanding that Senator NICKLES, the chairman of the Budget Committee, is also interested in a regular order approach and that he is interested in putting money aside in the budget to address this issue.

I also want to note that the Senate Finance Committee, in its effort to restore the funding, agreed to forgo the appropriations procedures to move the omnibus package. We certainly have not abandoned our effort to restore the funding. In fact, we are more committed than ever to seeing the S–CHIP funding re-stored and have added the support of the states impacted and chairs of the Finance and Budget Committees. Adding their endorsement to this effort, which already has garnered strong bipartisan support, will help to speed its passage.

Mr. GRASSLEY. I thank my colleagues for their attention to this important children’s care policy. They are correct that something must be done to address the funds that have and will revert to the Treasury in the near future. They are also correct to the constraints within the omnibus bill. I strongly support the State Children’s Health Insurance Program. It is a program that provides health care for over 36,000 low-income children in my State.

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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 Financial Officer shall actively market and expand cross-serving activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

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

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses 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 under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for all other actions needed for the Department and its agencies to consolidate unneeded space for configurations suitable for release to the Administrator of General Services, and for maintenance and repair of facilities at the Beltsville Agricultural Research Center, to implement by the Congress for the Economic Research Service, the Agricultural Research Service, the Cooperative State Research Service, and the Extension Service, the Agricultural Research Service to perform agricultural research and analyze, as authorized by the Agricultural Research Service, the Hatch Act of 1887 (7 U.S.C. 361a–i), and other laws, $65,123,000: Provided, That the 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), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers’ bulletins.

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), and the Inspector General Act of 1978, $78,127,000, including necessary expenses for constructing and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed $50,000 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 with the approval of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

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

MANAGEMENT

(including transfers of funds)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), Hazardous Materials Management Act (42 U.S.C. 6901 et seq.), $15,685,000, to remain available until expended: Provided, That appropriations contained in this Act shall not be utilized for the purpose of constructing or improving space to be occupied by the Office of Hazardous Materials Management on or after the 120th day of the fiscal year 2003, may transfer not to exceed $500,000, or in the case of 10 buildings to be constructed or improved, not to exceed $1,000,000, each, and the cost of altering any one building during the fiscal year shall not exceed $750,000, whichever is greater.

NATIONAL RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Research Service, the Extension Service, and the Cooperative State Research Service, and for other expenses, $185,553,000; for grants for cooperative forestry research, for facilities, and for other expenses, $651,411,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $185,553,000; for grants for cooperative forestry research, for facilities, and for other expenses, $651,411,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $185,553,000; for grants for cooperative forestry research, for facilities, and for other expenses, $651,411,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $185,553,000; for grants for cooperative forestry...
payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 2259c–1), $3,500,000; to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $8,481,000; for youth farm safety education and extension programs under title II, section 536 of the Smith-Lever Act (7 U.S.C. 3217a), $1,497,000; for the methyl bromide transition program, $1,750,000; payments for the water quality program, $12,971,000; payments for the food safety program, $14,967,000; for the food safety inspection service, $35,411,000; for the critical issues program under section 208(c) of the Food Security Act of 1985 (7 U.S.C. 2250) for the alteration and repair of buildings under this heading, $500,000 shall be for payments for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the 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for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

Funds for Strenthening Markets, Income, and Supply (Section 32)

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the provisions of the Farm and Foreign Agriculture Services, for the Commission, and for the transfer of funds to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act; and (3) not more than $4,000,000 for the administration and enforcement of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 2225), and not to exceed $75,000 for expenses pursuant to section 706(a) of the Organic Act of 1944.

The Office of Under Secretary for Farm and Foreign Agriculture Services

For necessary expenses for the performance of the duties of the Office of the Under Secretary for Farm and Foreign Agriculture Services to administer the laws enacted by Congress for 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, $966,913,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That funds shall be available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds 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 shall be available for employment under $5,310.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 1920(b)), $1,000,000.

DAIRY INDENITY PROGRAM

For necessary expenses involved in making indemnity payments to farmers and manufacturers for losses under the dairy indemnity program, $100,000, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-186; 114 Stat. 1548-1A).

AGRICULTURAL CREDIT INSURANCE FUND

PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans, $1,000,000,000; for certain guaranteed loans, $1,000,000,000; for operating expenses of the Commodity Credit Corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

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 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

HAZARDOUS WASTE MANAGEMENT

LIMITION ON EXPENSES

For fiscal year 2003, the Commodity Credit Corporation shall not expend more than $3,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) 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. 6961.

TITLE II

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, $902,000.

NATURAL 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-1, including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage) and such special measures for soil and water management as may be necessary to prevent floods and the siltation 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 other properties; and research and education for materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to

for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

Funds for Strenthening Markets, Income, and Supply (Section 32)

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the provisions of the Farm and Foreign Agriculture Services, for the Commission, and for the transfer of funds to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act; and (3) not more than $4,000,000 for the administration and enforcement of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 2225), and not to exceed $75,000 for expenses pursuant to section 706(a) of the Organic Act of 1944.

The Office of Under Secretary for Farm and Foreign Agriculture Services

For necessary expenses for the performance of the duties of the Office of the Under Secretary for Farm and Foreign Agriculture Services to administer the laws enacted by Congress for 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, $966,913,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That funds shall be available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds 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 shall be available for employment under $5,310.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 1920(b)), $1,000,000.

DAIRY INDENITY PROGRAM

For necessary expenses involved in making indemnity payments to farmers and manufacturers for losses under the dairy indemnity program, $100,000, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-186; 114 Stat. 1548-1A).

AGRICULTURAL CREDIT INSURANCE FUND

PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans, $1,000,000,000; for certain guaranteed loans, $1,000,000,000; for operating expenses of the Commodity Credit Corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

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 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

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For fiscal year 2003, the Commodity Credit Corporation shall not expend more than $3,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) 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. 6961.

TITLE II

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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, $902,000.

NATURAL 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-1, including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage) and such special measures for soil and water management as may be necessary to prevent floods and the siltation 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 other properties; and research and education for materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to
the Act of August 3, 1956 (7 U.S.C. 426a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $864,762,000. Dollars available under this section, of which not less than $9,162,000 is for snow survey and water forecasting, and not less than $10,701,000 is for operation and establishment of the pillow basins, and of which not less than $23,300,000 shall be for the grazing lands conservation initiative: Provided, That appropriations hereunder shall be available pursuant to the provisions of the Bankhead-Jones Farm Tenancy Act (7 U.S.C. 1010-1011; 76 Stat. 607; the Act of April 27, 1935 (16 U.S.C. 90a-1); and title H of title XV of the Agricultural Adjustment Act of 1938 (7 U.S.C. 3451-3451f). $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: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 201(c) of title II of the Collier-Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Agricultural Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local communities that are acting under per diem rates to perform the technical planning work of the Service: Provided further, That none of the funds made available under this paragraph or any other appropriation Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3814a).

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 Watershed Protection and Flood Prevention Act (16 U.S.C. 1001-1009), $10,960,000: Provided, That this appropriation shall be available in the manner authorized pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109: Provided further, 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 $200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed $45,514,000 of this appropriation shall be available for technical assistance: Provided further, 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 $200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed $7,000,000 of this appropriation shall be available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), including cooperative efforts as contemplated by that Act to relocate endangered species to suitable and available habitats as may be necessary to expedite project construction.

WATERSHED REHABILITATION PROGRAM
For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act of 1954 (7 U.S.C. 3106), and not to exceed $5,000,000,000, to remain available until expended: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income and minority communities and Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to provide technical, financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal and non-Federal activities, in an amount not less than funds provided: Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development, and not to exceed $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 rural water systems, not to exceed $1,500,000 shall be for water and waste disposal systems to benefit the Colomias along the United States/Mexico border, including grants pursuant to section 306C of such Act, not to exceed $3,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to 1 percent available to administer the program and up to 1 percent available to improve interagency coordination may be transferred to and merged with the provision for "Salaries and Expenses"; not to exceed $19,200,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306A(14) of such Act, of which $5,772,000 shall be for Rural Community Assistance Programs; and not to exceed $12,100,000 shall be for contracts 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 $17,624,000 shall be available through June 30, 2003, for the development zones and enterprise communities and communities designated by the Secretary of Agriculture for Economic Development of American Indian Tribes, and not less than $1,300,000 shall be available for technical assistance for rural communities described in section 381E(d)(1) of such Act, of which $1,163,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which $27,431,000 shall be for the Rural Economic Area Partnership Zones; of which $9,030,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural community programs, $10,000,000 shall be available for the Rural Community Development Initiative: Provided further, That of the amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water systems pursuant to section 306C of such Act, of which $4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306D of such Act, of which $862,814,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $862,814,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: Provided further, That of the amount appropriated in this account $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water systems pursuant to section 306C of such Act, of which $4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306D of such Act, of which $862,814,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $862,814,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: Provided further, That of the amount appropriated for rural community programs, not to exceed $25,000,000 shall be available for the Rural Development, Savings and Loans, and Cooperatives Account, for the purposes of the Endangered Species Act of 1973 (Public Law 93-205), including cooperative efforts as contemplated by that Act to relocate endangered species to suitable and available habitats as may be necessary to expedite project construction.
that Act: Provided further, That of the funds appropriated by this Act to the Rural Community Advancement Program for guaranteed business and industry loans, funds may be transferred to other RUS loan programs 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 administrative costs concerning the development and operation of agricultural co-operatives; and for cooperative agreements; $127,502,000: Provided, That this appropriation shall be available for employment, payroll, and administrative expenses as authorized by 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 section 502(c)(5)(D) of the Act: Provided further, That agreements entered into under section 502(c)(4) may be renewed during fiscal year 2003 for a 5-year period, provided, however, that the life of any such agreement may be extended to fully utilize amounts obligated.

RURAL HOUSING SERVICE

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

For 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: $7,355,162,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,005,162,000 shall be for direct loans, and of which $2,750,000,000 shall be for unsubsidized section 515 rental housing; $120,000,000 for new construction, repair, rehabilitation, and preservation of section 515 rental housing; $5,000,000 for section 521 self-help housing loans; $12,000,000 for credit sales of acquired property, of which up to $2,000,000 may be for multi-family credit sales; and $5,011,000 for section 523 self-help housing loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $214,900,000, of which $194,700,000 shall be for direct loans, and of which $19,200,000, shall be available until expended, shall be for unsubsidized section 502 loans; 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 521 self-help housing land development loans; $221,000: Provided, That of the total amount appropriated in this paragraph, $11,656,000 shall be available through June 30, 2003, for authorized empowerment zones and enterprise communities, and of which $3,755,162,000 are rescinded.

RURAL HOUSING Assistance GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1496c), $35,000,000, to remain available until expended: Provided, That of the total amount appropriated, $1,200,000 shall be available through June 30, 2003, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING Service

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

For 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: $7,355,162,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,005,162,000 shall be for direct loans, and of which $2,750,000,000 shall be for unsubsidized section 515 rental housing; $120,000,000 for new construction, repair, rehabilitation, and preservation of section 515 rental housing; $5,000,000 for section 521 self-help housing loans; $12,000,000 for credit sales of acquired property, of which up to $2,000,000 may be for multi-family credit sales; and $5,011,000 for section 523 self-help housing loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $214,900,000, of which $194,700,000 shall be for direct loans, and of which $19,200,000, shall be available until expended, shall be for unsubsidized section 502 loans; 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 521 self-help housing land development loans; $221,000: Provided, That of the total amount appropriated in this paragraph, $11,656,000 shall be available through June 30, 2003, for Mississippi Delta Region counties (as defined by Public Law 109-460): 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 of the total amount appropriated, $2,730,000 shall be available through June 30, 2003, for the purpose of providing $1,200,000 for section 523 self-help housing loans; $5,000,000 for section 515 rental housing; $5,011,000 for section 523 self-help housing loans; $12,000,000 for credit sales of acquired property, of which up to $2,000,000 may be for multi-family credit sales; and $5,011,000 for section 523 self-help housing loans.

RURAL COMMUNITY DEVELOPMENT LOANS PROGRAM ACCOUNT (INCLUDING RESCission OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act of 1936, $9,000,000, of which $2,000,000 may be available to cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority.

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

For grants in connection with a second round of empowerment zones and enterprise communities, $14,567,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277).

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 203 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electric loans, $121,103,000; municipal rate rural electric loans, $100,000,000; and 1 percent rural electric loans, $1,150,000,000; and, in addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $38,035,000 which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

RURAL TELEPHONE BANK PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limit of such amounts available, gross obligations for the fiscal year 2003, as are necessary: Provided further, That the cost of direct and guaranteed loans, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $11,025,000, and the cost of telecommunication loans, $1,423,000: Provided, That the cost of telecommunication loans pursuant to section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $38,035,000 which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.
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 appropriation for "Rural Development, Salaries and Expenses" for the purpose of reducing the balance in the Distanc 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 grants, $30,000,000.

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $31,941,000, to remain available until expended, to be available for Direct Loans and Grants for telecommunication and distance learning services in rural areas: Provided, That $19,000,000 may be available for the continuation of a project for a loan and grant program for telecommunication and distance learning services in local dial-up Internet services in areas that meet the definition of "rural area" used for the Distance Learning and Telemedicine Program authorized by 7 U.S.C. 950aaa: Provided further, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

TITLE 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, Nutrition and Consumer Services, to administer the laws enacted by the Congress for the Food and Nutrition Service, $774,000.

FOOD AND NUTRITION SERVICE
CHIL 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 section 21, and the Child Nutrition 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: Provided further, That $5,834,506,000 is hereby appropriated and $4,745,663,000 shall be derived from transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 613c): Provided, That none 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 for the State of Wisconsin: Provided further, That $200,000 shall be for the Common Roots Program: Provided further, That $590,000,000 shall be for the Child Nutrition and WIC Assistance Resource Center: Provided further, That up to $5,080,000 shall be for independent verification of school food service claims.

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 Nutrition Act of 1966 (42 U.S.C. 1766), $4,751,000,000, to remain available through September 30, 2004, of which $125,000,000 shall be placed in reserve, to remain available until expended, for use in only such amounts and at such times as may become necessary to carry out program operations: Provided, That the funds made available for the Cost of Agreement under title II of the Agricultural Trade Development and Assistance Act of 1954, $1,185,000,000, to remain available until expended: Provided, That funds made available for the Cost of Agreement under title I of the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1965, to the extent funds appropriated for Public Law 83-480 are utilized, $2,059,000, of which $1,033,000 may be transferred to and merged with the appropriation for "Domestic Food Programs, Salaries and Expenses", and of which $1,026,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": Provided further, That none of the funds provided for under title I of the Agricultural Trade Development and Assistance Act of 1954 and for the Food for Progress Act of 1965, $25,150,000, to remain available until expended: Provided, That funds made available for the Cost of Agreement 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.

FOOD AND NUTRITION SERVICE
FOOD DONATION PROGRAMS
For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 and special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Comacts of Free Association Act of 1985, $305,000,000, to remain available through September 30, 2004.

FOOD PROGRAM ADMINISTRATION
For necessary administrative expenses of the domestic food programs funded under this Act, $136,865,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than $17,600,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 17(h)(1)(A) of the Food Stamp Act (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

FOREIGN ASSISTANCE AND RELATED PROGRAMS
FOREIGN AGRICULTURAL SERVICE
SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)
For necessary expenses of the Foreign Agricultural Service, including transfers out of title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1769), market development activities abroad, and for enabling the Secretary to coordinate and implement activities of the Foreign Agricultural Service with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Commodity Credit Corporation Act (7 U.S.C. 1966), $131,198,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1757) and the foreign assistance programs of the United States Agency for International Development.

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

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)
For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1965, including the cost of modifying credit arrangements under said Acts, $116,171,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83-480, and the Food for Progress Act of 1965, to the extent funds appropriated for Public Law 83-480 are utilized, $2,059,000, of which $1,033,000 may be transferred to and merged with the appropriation for "Domestic Food Programs, Salaries and Expenses", and of which $1,026,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": Public Law 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS
(INCLUDING TRANSFER OF FUNDS)
For ocean freight differential costs for the shipment of agricultural commodities under title I of the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1965, $25,150,000, to remain available until expended: Provided, That funds made available for the Cost of Agreement 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.

PUBLIC LAW 480 TITLE II GRANTS
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, $1,042,000: To remain available until expended for commodities supplied in connection with dispositions abroad under title II of said Act.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)
For administrative expenses to carry out the Commodity Credit Corporation's export guarantee programs, $102,000,000; and 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, of which $2,224,000 may be transferred to and merged with the appropriation for "Foreign
Agricultural Service, Salaries and Expenses, and of which $334,000 may be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

**TITLES**

**RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**FOOD AND DRUG ADMINISTRATION**

**SALARIES AND EXPENSES**

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–231; and for the secretaries of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $25,000; $1,631,530, of which not to exceed $222,900,000 to be derived from prescription drug user fees authorized by 21 U.S.C. 379h, including any such fees assessed prior to the current fiscal year and remaining available during the current year, in accordance with section 736(p)(4), shall be credited to this appropriation and remain available until expended; and of which not to exceed $25,122,000 shall be derived from device fees authorized by 21 U.S.C. 379j shall be credited to this appropriation, to remain available until expended; Provided, That fees derived from applications received during fiscal year 2003 shall be subject to the fiscal year 2003 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program or activity which is authorized by 21 U.S.C. 379f(a): Provided further, That the total amount appropriated: (1) $421,404,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $426,232,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which not less than $13,357,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) $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) $86,342,000 shall be for the Center for Veterinary Medicine and for related 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) $209,999,000 shall be for the National Center for Toxicological Research; (7) $30,914,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (8) $108,269,000 shall be for payments to the General Services Administration for rent and related costs; and (9) $107,524,000 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 specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography 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.

**FUTURE**

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, $1,000,000, to remain available until expended.

**INDEPENDENT AGENCIES**

**COMMODITY 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 any related costs) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109, 83,985,000, including not to exceed $2,000 for official representation expenses.

**FARM CREDIT ADMINISTRATION**

**LIMITATION ON ADMINISTRATIVE EXPENSES**

Not to exceed $38,404,000 (from assessments collected from farm credit institutions and from fees for administrative services) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

**TITLE VII—GENERAL PROVISIONS**

**SEC. 701.** Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2003 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 374 passenger motor vehicles, of which 300 for replacement only, and for the hire of such vehicles.

**SEC. 702.** Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

**SEC. 703.** Not less than $1,500,000 of the appropriations provided in this Act shall be available for administrative expenses as authorized under sections 1 and 10 of the Act of June 29, 1935 (7 U.S.C. 427, 427i; commonly known as the Bankhead-Jones Act), subtitle A of title II and the Act of August 14, 1946 (7 U.S.C. 1621 et seq.), and chapter 63 of title 31, United States Code, shall be available for contracting in accordance with such Acts and chapter.

**SEC. 704.** The Secretary of Agriculture may transfer unobligated balances of funds appropriated and available unobligated balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the operation of the agency; the contracts and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this section shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred 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 obligational authority provided by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2003 under this Act shall be available for the following appropriations in this Act: (1) $62,615,000 shall be for thealcation technology services of primary benefit to the agencies of the Department of Agriculture that exceed 19 percent of total obligations made available in fiscal year 2003 shall be considered estimates, not limitations.

**SEC. 706.** 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. 707.** Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training programs to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b).

**SEC. 708.** No funds appropriated by this Act may be used to pay negotiated indirect costs for cooperative arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies 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 grant awards issued by the Cooperative State Research, Education, and Extension Service, or for providing the Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy 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 available 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.** Notwithstanding any other provision of law, all loan levels provided in this Act shall be considered estimates, not limitations.

**SEC. 712.** Appropriations to the Department of Agriculture for the cost of direct and guaranteed under the Agricultural Credit Act of 1954 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. 713.** Notwithstanding chapter 63 of title 31, United States Code, for each account of the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; the Farmers Home Administration; the Rural Development Loan Fund; the Commodity Credit Corporation; the Farm Service Agency; the Rural Housing Insurance Fund; and the Rural Economic Development Loans program account.

**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 to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized. Provided: Provided, notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury of the United States derived by the
2003, or provided from any accounts in the
able for obligation or expenditure in fiscal year
agencies funded by this Act that remain avail-
any functions or activities presently performed
or employees; (5) reorganizes offices, programs,
been denied or restricted; (4) relocates an office
any project or activity for which funds have
funds which: (1) creates new programs; (2)
funded by this Act, shall be available for obliga-
the collection of fees available to the agencies
appropriated or otherwise made available to the
Department of Agriculture by this Act may be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions, or activity requested for the appropriations hearing process.
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 the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, 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. 720. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the creation of which has not specifically been authorized, may be used to close or relocate, the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration in Detroit, Michigan.

SEC. 721. With the exception of funds needed to administer and conduct oversight of grants awarded and obligations incurred in prior fiscal years, none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 722. None of the funds made available to the Food and Drug Administration by this Act shall be used to establish a new residence post or similarly modified office, or to reassign residence posts assigned to the Detroit District Office: Provided, That nothing in this section shall apply to Food and Drug Administration field laboratory facilities or operations currently located in Detroit, Michigan, except that field laboratory personnel stationed at these locations in the general vicinity of Detroit, Michigan, pursuant to cooperative agreements between the Food and Drug Administration and other laboratory facilities associated with the State of Michigan.

SEC. 723. None of the funds appropriated by this Act may be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President’s Budget submission to the Congress of the United States: Provided, That such appropriations language, or any changes or modifications thereto, shall be subject to the jurisdiction of the Appropriations Committees of both Houses of Congress.

SEC. 724. None of the funds made available by this Act may be used to close or relocate a state Rural Development Office unless or until 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. 1413b), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome.

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 4040 of Public Law 101–71 (2 U.S.C. 1161).

SEC. 727. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736), 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 become available to carry out title III of such Act, may be used to carry out title II of such Act.

SEC. 728. Of the funds made available under section 679a(b) of the Poultry Products Inspection Act of 1949 (7 U.S.C. 1762a) the Secretary may use up to $5,000,000 for administrative costs associated with the distribution of commodities.

SEC. 729. None of the funds otherwise available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration in St. Louis, Missouri outside the city or county limits of St. Louis, Missouri.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be made available to any person or entity that has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the Johnson Act).


SEC. 732. Notwithstanding any other provision of law, the City of Dunkirk, New York, shall be eligible for grants and loans provided through the Rural Community Advancement Program.

SEC. 733. Notwithstanding any other provision of law, of funds appropriated under the Rural Housing Assistance Grant account, $4,000,000 shall be for demonstration housing grants for agriculture processing workers in the State of Wisconsin.

SEC. 734. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance for projects in the Embarcadero River Basin, Lake County Watersheds, and DuPage County, Illinois, from funds made available for Watershed and Flood Prevention Operations by Public Law 101–76.

SEC. 735. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 426h), the Secretary may use up to 30 percent of the amount provided to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research,Extensions,Education Reform Act of 1998 (7 U.S.C. 7621).

SEC. 736. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance through the Watershed and Flood Prevention Operations program to carry out the Upper Tugart Valley Watershed project, West Virginia: Provided, That the Natural Resources Conservation Service is authorized to provide 100 percent of the engineering assistance and 75 percent cost share for installation of the water quality component of this project.

SEC. 737. Agencies and offices of the Department of Agriculture may utilize any unobligated

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salaries and expenses funds to reimburse the Of-
cifice of the General Counsel for salaries and ex-

dpenses of personnel, and for other related ex-

dpenses, incurred in representing such agencies
and or other autonomous entities, or employees or app-
clicants for employment, and in cases and other

matters pending before the Equal Employment

Opportunity Commission, the Federal Labor Relations

Authority, the Merit Systems Protection Board with the

prior approval of the Committee on Appropriations

of both Houses of Congress.

SEC. 739. 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 14(h)(1) of the Watershed Protection and

Flood Prevention Program for the Kuhn Bayou

(Point Remove) project in Arkansas.

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 107-171 that ex-
cceeded 77 percent of the payment that would oth-
erwise be paid to eligible producers (7 U.S.C.

4108).

SEC. 742. Notwithstanding any other provision
of law, the Natural Resources Conservation

Service may provide financial and technical as-
sistance through the Watershed and Flood Pre-
vention Operations program for the Matanuska

River erosion control project in Alaska.

SEC. 744. 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. 745. Of the unobligated balances of funds
made available under the Cooperative State
Research, Education, and Extension Service,

Buildings and Facilities appropriation in Public

Law 104-180, $795,400 are hereby rescinded.

SEC. 746. Of the funds made available in fiscal
year 2004 for extending fiscal years for pro-

grams authorized under the Agricultural Trade

Development and Assistance Act of 1954 (7

U.S.C. 1691 et seq.) in excess of $20,000,000 shall
be used to reimburse the Commodity Credit Cor-

poration for the release of eligible commodities
under section 302(f)(2)(A) of the Bill Emerson

SEC. 747. Notwithstanding any other provision
of law, the Natural Resources Conservation

Service may provide financial and technical as-
sistance to the Dry Creek/Neff's Grove project,

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sistance to the Dry Creek/Neff's Grove project,

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sistance to the Dry Creek/Neff's Grove project,

Service may provide financial and technical as-

sistance to the Dry Creek/Neff's Grove project,
Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for confectionery and each other kind of sunflower seed (other than oil sunflower seed) at a rate that is the lesser of:

1. the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

2. the repayment rate established for oil sunflower seed, lint, and small chickpeas.

(A) QUALITY GRADES FOR DRY PEA S, Lents, and SMALL CHICKPEAS.—The loan repayment rate for dry peas, lentils, and small chickpeas is based upon the quality grades for the applicable commodity specified in section 1202(d).

(D) APPLICABILITY.—This section and the amendments made by this section apply commencing with the 2003 crop of other oilseeds (as defined in section 1001 of the Food Security and Rural Investment Act of 2002 (7 U.S.C. 7901)), dry peas, lentils, and small chickpeas.

SEC. 759. VALUE-ADDED PROJECTS FOR AGRICULTURAL DIVERSIFICATION. Of the amount of funds that are made available to producers in the State of Vermont under section 524 of the Federal Crop Insurance Act (7 U.S.C. 1524) for fiscal year 2003, the Secretary of Agriculture may make a grant of $200,000 to the Northeast Development Authority at the University of Vermont to support value-added projects that contribute to agricultural diversification in the State, to remain available until expended.

SEC. 760. PRICE SUPPORT ADJUSTMENTS. (a) CARRY FORWARD ADJUSTMENT.—Section 319(e) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1141(e)) is amended in the fifth sentence—

(1) by striking ‘‘; Provided, That’’ and inserting ‘‘; Provided, That’’; and

(2) by inserting before the period at the end the following: ‘‘; (2) the total quantity of all adjustments under this sentence for all farms for any crop year may not exceed 10 percent of the national basic quota for the preceding crop year; and (3) this sentence shall not apply to the establishment of a marketing quota for the 2003 marketing year’’.

(b) SPECIAL REQUIREMENTS.—During the period beginning on the date of enactment of this Act and ending on the last day of the 2002 marketing year, the Secretary of Agriculture may waive the application of section 1644(2)(c) of title 7, Code of Federal Regulations.

(c) IN GENERAL.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement this section and the amendments made by this section.

(2) PROcedure.—The promulgation of the regulations and administration of this section and the amendments made by this section shall be made in accordance with section 553 of title 5, United States Code.

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

(B) the Statement of Policy of the Secretary of Agriculture, January 24, 1971 (36 Fed. Reg. 13004), relating to notices of proposed rulemaking and public participation in rulemaking; and

(c) chapter 35 of title 44, United States Code (commonly known as the ‘‘Paperwork Reduction Act’’).

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 761. SENSE OF THE SENATE CONCERNING CERTAIN FUNDS FOR TECHNICAL ASSISTANCE FOR MANDATORY COMMODITY PROGRAMS. (a) FINDINGS.—The Senate finds that—

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

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

(3) this Act, Congress provided mandatory funding sufficient to cover all conservation technical assistance needed to carry out conservation programs;

(4) that Act, conservation technical assistance is provided to carry out conservation programs;

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

(A) is provided directly for conservation programs; and

(B) is not subject to the limitation specified in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714); and

(6) the General Accounting Office has determined that funds in the Conservation Operations account cannot be used to fund conservation technical assistance for conservation programs under the Farm Security and Rural Investment Act of 2002.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the President should provide full funding for conservation technical assistance in order to implement conservation programs under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.);

(2) the President should not use funds from the Conservation Operations account to provide conservation technical assistance for carrying out conservation programs directly funded by that title.

SEC. 762. RURAL HOUSING SERVICE. Title III of the Agriculture, Rural Development, Food and Drug Administration, Rural Housing, and Related Agencies Appropriations Act, 2001, is amended in the first paragraph under the heading ‘‘RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)’’ under the heading ‘‘RURAL HOUSING SERVICE’’ (114 Stat. 1549, 15494-19) by inserting before the period at the end the following: ‘‘; Provided, further, That after September 30, 2002, any funds remaining for the demonstration program may be used, within the State in which the demonstration program is carried out, for fiscal year 2002 and subsequent years, the Secretary may use funds to cover the costs (as defined in section 502 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 661a)) of loans authorized, under section 1949 of the Housing Act of 1949 (42 U.S.C. 1474)’’.

SEC. 763. CORR. (a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the planting, prevented planting, and production of corn used to produce popcorn as the planting, prevented planting, and production of corn for the purposes of determining base acres and payment yields for direct and counter-cyclical payments under subtitle A of title I of Public Law 107-171.

(b) EFFECTIVE DATE.—This section takes effect on October 1, 2003.

SEC. 764. (a) The Senate finds that—

1. there are immediate needs for additional food aid in sub-Saharan Africa where more than 38 million people are at risk of starvation;

2. there are serious shortfalls of food aid in other parts of the world, including Afghanistan a key nation in the war on terrorism, that have put more than 38 million people at risk of starvation;

3. other potential emergencies in Iraq, North Korea, and other regions could place millions of people at risk of starvation;

4. prices have increased by 30 percent over the course of the past year for certain staple commodities;

5. additional food aid helps build goodwill towards the United States, is consistent with the National Security Strategy of the United States, dated September 17, 2002, and reduces the conditions that can contribute to international terrorism.

(b) is the sense of the Senate that—

(1) The Secretary of Agriculture should immediately use the funds, facilities, and authorities of the Commodity Credit Corporation to ensure that United States emergency food aid and international humanitarian food assistance for each fiscal year 2003 through 2007 shall not be less than the previous five year average beginning on the date of enactment of this Act.

(2) The President should immediately submit an emergency supplemental request to meet any additional shortfalls in fiscal year 2003 for food aid to vulnerable popula-

(c) EXCLUSION OF CLARK COUNTY, NEVADA FROM FEDERAL MILK MARKETING ORDERS.—(1) IN GENERAL.—Section 8c(11)(C) of the Agricultural Adjustment Act (7 U.S.C. 608c), as reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (as amended by subsection (a)), is amended by adding at the end the following:

‘‘(i) 3 percent of the total quantity of Class I products distributed in the Las Vegas-Nevada-Arizona region selling milk or milk products into the California State order; (b) EXEMPTION OF MILK HANDLERS FROM MINIMUM PRICE REQUIREMENTS.—Section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c), as reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (as amended by subsection (a)), is amended by adding at the end the following:

‘‘(b) EXEMPTION OF MILK HANDLERS FROM MINIMUM PRICE REQUIREMENTS.—Notwithstanding any other provision of this subsection, prior to January 1, 2006, no handler with distribution of Class I milk products in the Arizona-Las Vegas marketing area (Order No. 131) or Pacific Northwest marketing area (Order No. 124) shall be exempt during any month from any minimum price requirement established by the Secretary under this subsection if the total distribution of Class I products within the Arizona-Las Vegas marketing area or the Pacific Northwest marketing area of any handler’s own milk production exceeds the lesser of—

1. the loan rate established for the commodity under this section and the amendments made by this section; (c) EXCLUSION OF CLARK COUNTY, NEVADA FROM FEDERAL MILK MARKETING ORDERS.—(1) IN GENERAL.—Section 8c(11)(C) of the Agricultural Adjustment Act (7 U.S.C. 608c), as reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (as amended by subsection (a)), is amended by striking the last sentence and inserting the following: ‘‘In the case of milk and its products, Congress intended that milk be within a marketing area defined in any order issued under this section’’.

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


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 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:
For expenses necessary for the administration of the Department of Justice, $99,696,000, of which not to exceed $3,137,000 is for the Facilities Program which shall be expended: Provided, That not to exceed 41 permanent positions and 44 full-time equivalent workyears and $8,625,000 shall be expended for the Development Program to effectuate 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 $9,225,000 shall be expended for the Office of Legislative Affairs: Provided further, That not to exceed 15 permanent positions, 20 full-time equivalent workyears and $1,848,000 shall be expended for the Office of Public Affairs: Provided further, That the Offices of Legislative and Public Affairs may utilize non-reimbursable details of career employees within the caps described in the preceding two provisos: Provided further, That the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, to a current real or personal property of limited or marginal value, as such value is determined by guidelines established by the Attorney General or local government agency, or its designated contractor or transferee, for use to support drug abuse treatment, drug and crime prevention and education, housing, job skills, and other community-based public health and safety programs: Provided further, That any transfer under the preceding proviso shall not create or confer any private right of action in any person against the United States, and shall be treated as a reprogramming under section 605 of this Act.

For expenses necessary for Anti-Terrorism Task Forces, including salaries and expenses, operations, equipment, and facilities, $63,700,000, notwithstanding any other provision of law.

For expenses necessary for Joint Terrorism Task Forces, including salaries and expenses, operations, equipment, and facilities, $158,347,000, notwithstanding any other provision of law.

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $15,972,000, notwithstanding any other provision of law, to remain available until expended.

For expenses necessary for the planning, development, and deployment of an automated fingerprint identification system, including automated capability to transmit fingerprint and image data, $9,000,000, to remain available until expended.

For expenses necessary for the design, development, testing, and deployment of a standards-based, interoperable computer system for the Immigration and Naturalization Service, as authorized, to be managed by Justice Management Division, $83,400,000, to remain available until expended.

For necessary expenses related to the design, development, engineering, acquisition, and implementation of office automation systems for the organizations funded under the headings “Salaries and Expenses, General Legal Activities”, and “General Administration, Salaries and Expenses”, the United States Marshals Service, the Antiterrorism Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, the Bureau of Prisons, and the Office of Justice Programs, $80,000,000, notwithstanding any other provision of law, to remain available until expended.

For expenses necessary to convert to narrowband communications, including for operation and maintenance of Land Mobile Radio legacy systems, $149,254,000, to remain available until expended.

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

For necessary expenses of the Federal Detention Trustee who shall exercise all powers and perform all functions under the Detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service; and the detention, punctual and correct, and the treatment 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 personnel, including Pribus Personnel, in support of Land Mobile Radio Transport System and for overseeing construction of detention facilities or for housing related to such detention; the management of funds of the Department for the exercise of any detention functions; and the direction of the United States Marshals Service and Immigration and Naturalization Service with respect to the exercise of detention policy setting and operations for the Department.

For necessary expenses of the Inspector General, $34,823,000, not to exceed $10,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the direction of, the Inspector 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.

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

For expenses necessary for the design, development, and deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $15,972,000, notwithstanding any other provision of law, to remain available until expended.

For expenses necessary for the planning, development, and deployment of an integrated fingerprint identification system, including automated capability to transmit fingerprint and image data, $9,000,000, to remain available until expended.

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

For necessary expenses related to the design, development, engineering, acquisition, and implementation of office automation systems for the organizations funded under the headings “Salaries and Expenses, General Legal Activities”, and “General Administration, Salaries and Expenses”, the United States Marshals Service, the Antiterrorism Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, the Bureau of Prisons, and the Office of Justice Programs, $80,000,000, notwithstanding any other provision of law, to remain available until expended.

For expenses necessary for Anti-terrorism Task Forces, including salaries and expenses, operations, equipment, and facilities, $63,700,000, notwithstanding any other provision of law.

For expenses necessary for Joint Terrorism Task Forces, including salaries and expenses, operations, equipment, and facilities, $158,347,000, notwithstanding any other provision of law.

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $15,972,000, notwithstanding any other provision of law, to remain available until expended.

For expenses necessary for the planning, development, and deployment of an integrated fingerprint identification system, including automated capability to transmit fingerprint and image data, $9,000,000, to remain available until expended.

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

For necessary expenses related to the design, development, engineering, acquisition, and implementation of office automation systems for the organizations funded under the headings “Salaries and Expenses, General Legal Activities”, and “General Administration, Salaries and Expenses”, the United States Marshals Service, the Antiterrorism Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, the Bureau of Prisons, and the Office of Justice Programs, $80,000,000, notwithstanding any other provision of law, to remain available until expended.

For expenses necessary for the office automation systems for the organizations funded under the headings “Salaries and Expenses, General Legal Activities”, and “General Administration, Salaries and Expenses”, the United States Marshals Service, the Antiterrorism Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, the Bureau of Prisons, and the Office of Justice Programs, $80,000,000, notwithstanding any other provision of law, to remain available until expended.

NARROWBAND COMMUNICATIONS

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $15,972,000, notwithstanding any other provision of law, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

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

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

For expenses necessary for the Federal Detention Trustee who shall exercise all powers and perform all functions under the Detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service; and the detention, punctual and correct, and the treatment 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 personnel, including Pribus Personnel, in support of Land Mobile Radio Transport System and for overseeing construction of detention facilities or for housing related to such detention; the management of funds of the Department for the exercise of any detention functions; and the direction of the United States Marshals Service and Immigration and Naturalization Service with respect to the exercise of detention policy setting and operations for the Department.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, $34,823,000, not to exceed $10,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the direction of, the Inspector 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.

UNITED STATES PAROLE COMMISSION

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

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 the United States Attorneys, including inter-governmental agreements, and $1,320,160,000, of which not to exceed $2,500,000 shall be available until September 30, 2004, for: (1) training personnel in debt collection; (2) locating delinquent debtors and their assets; and (3) assessing the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That the amount total appropriated, not to exceed $8,000 shall be available for official representation and representation expenses: Provided further, That not to exceed $10,000,000 of those funds available for automaton litigation support contracts shall remain available until expended: Provided further, That not to exceed $2,500,000 for the operation of the National Advocacy Center shall remain available until expended: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 9,571 positions and 9,776 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys: Provided further, That the fourth proviso under the heading “Salaries and Expenses, United States Attorneys” in title I of H.R. 3421 of the 106th Congress, as enacted by section 1006(a)(1) of Public Law 106–113 shall apply to the fiscal year 2003: Provided further, That the total amount appropriated, not to exceed $20,000,000 shall be for the Anti-terrorism Task Forces to coordinate Port Security pilot projects in Norfolk, Virginia, Charleston, South Carolina, New Orleans, Louisiana, and Long Beach, California, and for the costs of reimbursable details, overtime for State and local law enforcement personnel, equipment, facilities, and other associated operational costs.

UNITED STATES TRUSTEE SYSTEM FUND

For expenses necessary for the United States Trustee Program, as authorized, $150,381,000, to remain available until expended and to be derived from the United States Trustee System Fund. Provided further, That not to exceed $10,000,000 of any provision of law, deposits to the Fund shall be available in such amounts as may be
necessary to pay refunds due depositors: Provided, further, That, notwithstanding any other provision of law, $150,381,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and 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 offsets continue to be 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 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 motor vehicles for police-type use, without regard to the general purchase price limitation for the current fiscal year, $661,085,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and of which not to exceed $20,000 shall remain available until expended for development, implementation, maintenance and support, and training for an automated prisoner information system.

For expenses, including allowances for travel, maintenance and support, and travel, of court security officers, the purchase, installation, and maintenance of court security equipment, including furnishings, relocations, and telephones and cabling, $12,061,000, to remain available until expended.

For planning, constructing, renovating, equipping, and maintaining United States Marshals Service prisoner-holding space in United States Marshal’s Buildings, including the renovation and expansion of prisoner movement areas, elevators, and sallyports, $17,378,000, notwithstanding any other provision of law, to remain available until expended.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM

For necessary expenses to procure four modern, fuel efficient, wide body replacement aircraft and spares, $77,654,000, notwithstanding any other provision of law, to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses of mileage, preservation, and compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems of witnesses attending civil cases, $5,196,000, to be available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $2,000,000 may be available for the purchase and maintenance of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $9,474,000.

ASSETS FORFEITURE FUND

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 individuals involved in organized crime drug trafficking not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $400,102,000, of which $50,000 shall remain available until expended; Provided, That any amounts obligated but not expended for the current fiscal year under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures set forth in section 605 of this Act.

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 1,576 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, $1,985,000, to be available for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: Provided, That 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 certification of the Attorney General, $3,927,587,000; of which not to exceed $65,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed $1,000,000 for shredder operations shall remain available until September 30, 2004; of which $475,300,000 shall be for counterterrorism investigations, foreign counterintelligence, and related to our national security; of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: Provided, That funds provided under this heading shall be distributed in the manner described in the following table:

<table>
<thead>
<tr>
<th>Decision unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counterterrorism</td>
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<td>National Security</td>
<td>$644,483,000</td>
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<tr>
<td>Cyber-investigations</td>
<td>$155,189,000</td>
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<tr>
<td>Criminal Enterprises</td>
<td>$1,412,300,000</td>
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<tr>
<td>Forensic and Technical Services</td>
<td>$494,499,000</td>
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<tr>
<td>Field Support</td>
<td>$224,876,000</td>
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<tr>
<td>Training and Education</td>
<td>$111,831,000</td>
</tr>
<tr>
<td>Criminal Justice Programs</td>
<td>$306,554,000</td>
</tr>
</tbody>
</table>

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law, including acquisition for such buildings; conversion and extension of federally-owned buildings; and preliminary planning and design of projects, $1,250,000, to remain available until expended.

Drug Enforcement Administration SALARIES AND EXPENSES

For necessary expenses of 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 education and training programs, 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 reimbursable full-time equivalent personnel, not more than 7,654 positions in the Drug Enforcement Administration, not to exceed 7,654 positions and 7,515 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For necessary expenses for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, $3,241,787,000: Provided, That the amount appropriated under this heading $80,200,000 shall be available only for the Entry Exit System, to be managed by the Justice Management Division: Provided further, That, of the amounts made available in the fiscal year 2003 appropriation, $42,800,000 shall only be available for planning, design, demonstration and testing, $20,000,000 shall only be available for system development, $12,300,000 shall only be available for system development: Provided further, 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 obligated until the INS submits a plan for expenditure that: (1) meets the capital planning and control review requirements established by the Office of Management and Budget, including OMB Circular A–11, part 3; (2) complies with the 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 obligations and expenditure in accordance with the procedures applicable to reprogramming notifications set forth in section 605 of Public Law 107–77: Provided further, That none of the funds made available by this Act shall be available for any purposes relating to the Security Entry-Exit Registration System (NSEERS), and that the Attorney General shall provide to the Committee on Appropriations all documents and materials in support of the (1) used for the implementation of the NSEERS program, including any predecessor programs; (2) assessing the effectiveness of the NSEERS program as a tool to enhance national security; (3) used to determine the scope of the NSEERS program, including countries selected for the program, and the gender, age, and immigration status of the persons required to register under the program; (4) used to expand the NSEERS program to additional countries, age groups, women, and persons holding other immigration statuses not already covered; (5) explaining of whether the Department of Justice consulted with other federal agencies in the development of the NSEERS programs, and if so, all documents and materials relating to those consultations; (6) concerning policy directives or guidance issued to officials about implementation of NSEERS, including the role of the FBI in conducting national security background checks of registrants; (7) explaining why certain INS District Offices detained persons with pending status-adjustment applications; and (8) explaining how information gathered during interviews will be stored, used, or transmitted to other Federal, State, or local agencies.

CONGRESSIONAL RECORD — SENATE

January 28, 2003
CONSTRUCTION
For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of Federal penal and correctional institutions, including purchase (not to exceed $75,000) of new motor vehicles, and hire of passenger motor vehicles, including amounts for administrative costs, which shall be transferred to and merged with the 'Justice Assistance account', to remain available until expended.

BUILDINGS AND FACILITIES
For planning, acquisition of sites and construction of new facilities; purchase and acquisition of furniture, fixtures, remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $470,221,000, to remain available until expended, of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED
The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to any aformentioned limitations as provided by section 1004 of title 11, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year and for future years, including amounts for administrative costs, which shall be transferred to and merged with the 'Justice Assistance account', to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED
Not to exceed $3,429,000 of the funds of the corporation shall be available for its administrative expense for the fiscal year 2013, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such and chargeable to such account: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with States, local governments, and other entities for the furnishing of services or facilities, including amounts for administrative costs, which shall be transferred to and merged with the 'Justice Assistance account', to remain available until expended.

FAIR COMPETITION
for contracts, cooperative agreements, and other assistance authorized by section 101 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"), and to make such contracts and commitments, without regard to any other provision of law, $1,145,000,000, to remain available until expended, of which $550,000,000 shall be for grants to local law enforcement agencies for the purpose of increasing or maintaining the number of sworn law enforcement officers on the streets and highways: Provided, That not to exceed $5,000,000 shall be available for the purpose of counting narcotics and illegal drug-related law enforcement officers in accordance with section 105 of the 1968 Act, to remain available until expended, of which $2,000,000 shall be for grants to the States for the purpose of increasing or maintaining the number of sworn law enforcement officers on the streets and highways: Provided further, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions, including amounts for administrative costs, which shall be transferred to and merged with the 'Justice Assistance account', to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
For assistance by the Violent Crime Control and Law Enforcement Act of 1984 (Public Law 98–476, as amended ("the 1984 Act")); the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); and 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.

JUSTICE ASSISTANCE
For grants, contracts, cooperative agreements, and other assistance authorized by section 102 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"), and to make such contracts and commitments, without regard to any other provision of law, $1,625,490,000, to remain available until expended, of which $1,000,000 shall be for the Bureau of Justice Assistance, and $1,624,490,000 shall be for the Office of Justice Programs: Provided, That funds provided under this heading shall be distributed in the manner described in the following table:

<table>
<thead>
<tr>
<th>Decision unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inmate Care and Programs</td>
<td>$1,625,490,000</td>
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<tr>
<td>Institution Security and Administration</td>
<td>$1,879,256,000</td>
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<tr>
<td>Contract Frontrline</td>
<td>$717,077,000</td>
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<tr>
<td>Management and Administration</td>
<td>$155,414,000</td>
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</tbody>
</table>

grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs:

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

(6) $2,300,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act;

(7) $1,000,000 for grants for televised testimony, as authorized by section 1001(a)(18) of the 1968 Act;

(8) $3,750,000 for Grants to Combat Violence Against Women, as authorized by section 1001(a)(18) of the 1983 Act;

(9) $1,000,000 for Motor Vehicle Theft Prevention, as authorized by section 1108(a)(19) of the 1983 Act;

(10) $40,000,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 4025 of the 1994 Act;

(11) $5,000,000 for training programs, as authorized by section 4025(c) of the 1994 Act, and for local demonstration projects;

(12) $3,000,000 for grants to improve the process for entering data regarding stalking and domestic violence into local, State, and national criminal information databases, as authorized by section 6062 of the 1994 Act;

(13) $10,000,000 for grants to reduce Violent Crime Against Women on Campus, as authorized by section 1198(a) of Public Law 106–386;

(14) $40,000,000 for Legal Assistance for Victims, as authorized by section 1201 of Public Law 106–386;

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

(16) $15,000,000 for the Safe Havens for Children Pilot Program as authorized by section 108(a) of Public Law 106–386;

(17) $7,500,000 for Education and Training to end violence against and abuse of women with disabilities, as authorized by section 1002 of Public Law 106–386;

(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 24001(c) of the 1994 Act;

(20) $30,000,000 for Drug Courts, as authorized by title IV of the 1994 Act;

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

(22) $50,000,000 for awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 25005(3) of the 1994 Act;

(23) $28,450,000 for Juvenile Accountability Incentive Block Grants;

(24) $1,300,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 222(a) of the 1994 Act;

Provided, That funds made available in fiscal year 2003 under part B of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty cases, including the National Hobbs corpus petitions and for drug testing 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 will achieve a net gain in the number of law enforcement officers who perform programs of crime prevention service.

**WEED AND SEED PROGRAM FUND**

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed Program ("Weed and Seed") program activities, $56,925,000, to remain available until expended, for inter-governmental agreements, including grants, cooperative agreements, contracts, and subcontracts, 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 other drug-related crimes; and for the Weed and Seed designee, communities, and for other reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be executed by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Department of Justice has determined that the Community Oriented Policing Services Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

**COMMUNITY ORIENTED POLICING SERVICES**

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 ("the 1994 Act") (including administrative costs), $1,120,238,000, to remain available until expended: Provided, That 3 percent of each year balances available in this program shall be used for the direct hiring of law enforcement officers through the Universal Hiring Program: Provided further, That section 170(b)(1) and (b)(2) of the 1968 Act shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.); Provided further, That all 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 officer retention requirements 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.).

Of the amounts provided:

(1) For Public Safety and Community Policing Grants under title I of the 1994 Act, $492,000,000 as follows: $330,000,000 for the hiring of law enforcement officers, including up to $100,000,000 for school resource officers; $10,000,000 for training school resource officers on issues related to terrorism; $21,000,000 for training and technical assistance; $26,000,000 for the matching grant program for Law Enforcement Grant Program Grants to State and local governments for part V of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; and $10,000,000 for equipment and training: Provided further, That section 603(b)(2) of the Act shall be applied to all awards made by the Attorney General (including grants made pursuant to the Community Oriented Policing Services Act): Provided further, That not to exceed $35,000,000 for program management and administration.

(2) For crime technology, $426,215,000 as follows: $5,985,100,000 for a law enforcement technology program; $150,000,000 for the COPS Information Sharing and Analysis Technology Program; $25,000,000 for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 16401); $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 1998 (42 U.S.C. 3797 et seq.); $40,000,000 for State and local DNA laboratories as authorized by section 1061(a)(2) of the 1968 Act, and improvements to forensic and genetic sciences laboratory integrity, capacity, and capabilities; and $45,000,000 for grants, contracts, and other assistance to States under section 1020(b) of the Identification and Forensic Technology Act of 2001, of which $17,000,000 is for the National Institute of Justice for grants, contracts, and other agreements to develop school safety technologies and training.

(3) For prosecution assistance, $100,000,000 as follows: $50,000,000 for a national program to reduce gun violence, and $50,000,000 for the Northwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for Federal costs associated with the prosecution of criminal cases declined by localities.

(4) For grants, training, technical assistance, and other expenses to support community crime prevention efforts, $67,013,000 as follows: $10,000,000 for the Safe Schools Reentry Program; $20,013,000 for the Safe Schools Initiative; and $17,000,000 for a police integrity program;

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

**JUVENILE JUSTICE PROGRAMS**

For grants, contracts, cooperative agreements, and other expenses authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended ("the Act"), including salaries and expenses in connection with and merged with the appropriations for Juvenile Justice Assistance, $315,245,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–586, of which: (1) notwithstanding any other provision of law, $7,112,000 shall be available for expenses authorized by part A of title II of the Act, $88,899,000 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 section 605 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–586 (100 Stat. 4339–4340); and $4,000,000, to remain available until expended for payments as authorized by section 1201(b) of said Act.

**ELECTION REFORM GRANT PROGRAM**

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

**PUBLIC SAFETY OFFICERS BENEFITS**

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–696 (102 Stat. 4339–4340), and $4,000,000, to remain available until expended for payments as authorized by section 1201(b) of said Act.

**GENERAL PROVISIONS—DEPARTMENT OF JUSTICE**

Section 101. In addition to amounts otherwise made available, for programs and activities to enforce State laws and drug offenses in "Weed and Seed" demonstration and other assistance authorized by the Juvenile Justice and delinquency prevention programs and activities designed to benefit the programs or activities authorized under the applicable part or title, and not more than 2 percent of each such amount may be used for training and technical assistance activities designed to benefit the programs or activities authorized under the applicable part or title.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by this Act, as amended, $11,000,000, to remain available until expended, as authorized by section 214B of the Act.

Section 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 all or part of any amount described in subparagraph (B) of clause (i) of section 3059 of title 28, United States Code, may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 28, United States Code: Provided, That not to exceed $10,000,000 of funds available for expenditures authorized by section 3072 of title 28, United States Code, shall be available for the payment of discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, or for technical assistance and training: Provided further, That of amounts made available under the Juvenile Justice Programs of the Office of Justice Programs to carry out part B (relating to Federal Assistance for State and Local Programs), subpart II of part C (relating to Special Emphasis Prevention and Treatment Programs), part D (relating to Gang-Free Schools and Communities and Community-Based Gang Intervention), (relating to Special Emphasis Prevention and Treatment Programs), part D (relating to Gang-Free Schools and Communities and Community-Based Gang Intervention), part E (relating to special emphasis prevention and treatment programs to combat methamphetamine policing initiatives in "drug hot spots" of which $5,000,000 shall be available for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797 et seq.); $40,000,000 for State and local DNA laboratories as authorized by section 1061(a)(2) of the 1968 Act, and improvements to forensic and genetic sciences laboratory integrity, capacity, and capabilities; and $45,000,000 for grants, contracts, and other assistance to States under section 1020(b) of the Identification and Forensic Technology Act of 2001, of which $17,000,000 is for the National Institute of Justice for grants, contracts, and other agreements to develop school safety technologies and training.

(b) Notwithstanding any other provision of law, payments made during fiscal year 2003 resulting from Doe v. United States (docket #98–896BC), before the Court of Federal Claims, shall be paid from amounts made available under the headings "Salaries and Expenses, General Legal Activities" and "Salaries and Expenses, United States Attorneys" in title I of that Act.

Section 103. Not to exceed 5 percent of any appropriation made available for the current fiscal
year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, 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 and shall not be assumed, for purposes of compliance with the procedures set forth in that section.

SEC. 104. Notwithstanding any other provision of law, $10,000,000 shall be available for technical assistance from the funds appropriated for part G of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

SEC. 105. The Immigration and Nationality Act of 1952 is amended—

(1) in section 238(f) (8 U.S.C. 1227(f)), by replacing "All" with "Except as provided by section 236(q)(2) or any other law, all" and, in lieu thereof, the following: "the Attorney General may, for good cause, grant an alien applicant such advance parole as the Attorney General determines to be in the best interest of the United States and to carry out the purposes of the Act."; and

(2) in section 245(b)(2) (8 U.S.C. 1255(b)(2)), by inserting ,, including receipts for services performed in processing forms I-94, I-486, and I-68, and other similar applications processed at land border ports of entry," after "subsection".

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 under warranty, the Attorney General may seek reimbursement from such entities for warranty work performed at Department of Justice facilities or from any other source of payment of warranty, to credit any payment made for such work to any appropriation charged therefore.

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

(1) in section 1222(b), strike "on October 1, 2002" and insert in lieu thereof the following: "on the effective date provided in section 12102(b)";

(2) in section 1223(a), strike "on the date of the enactment of this Act" and insert in lieu thereof the following: "on the effective date provided in section 12102(b)";

(3) in section 1223(b), by replacing "Act" with "subtitle", and all the matter after "beginning" with "on or after the effective date provided in subsection (a)".

SEC. 108. The law enforcement training facility described in section 6150 of Public Law 106-248 is hereby established as a permanent training facility.

SEC. 109. Notwithstanding any other provision of law, $10,000,000 shall be available for grants to the Attorney General to transfer to the "Narrowband Communications" account all funds made available to the Department of Justice for the purchase of portable and mobile communications equipment by any law enforcement agency and the buying, leasing, or rental of communications equipment or services by law enforcement agencies to carry out the provisions of this Act.

SEC. 110. In addition to the funds provided elsewhere in this joint resolution, the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2003: $10,000,000 to provide for grants as authorized by section 1102 of Public Law 107-273, to implement the Crime-free Rural States Program.

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

SEC. 111. None of the funds appropriated by this Act may be used to remove, deport, or detain a person on the basis of sexual orientation or gender identity of an individual who died as a result of a September 11, 2001, terrorist attack, unless the alien spouse or child is

(1) inadmissible under paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) or deportable under paragraphs (2) or (4) of section 237(a) of that Act (8 U.S.C. 1227(a)) on account of acts of terrorism committed by a terrorist perpetrator of a September 11, 2001, terrorist attack against the United States; or

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

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

TITLES V AND VI—COMMERCIAL 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 persons authorized by 5 U.S.C. 3109, $3,000,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $50,000 shall be available for official reception and representation expenses.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and the employment of personnel authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $54,000,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by the law, including in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3701; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1511; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable motor vehicles, structures or services use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $237,000,000 for international travel expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtaining insurance on official motor vehicles; $122,000,000, to remain available until expended, of which $3,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $68,031,000 shall be for trade adjustment assistance, of which $199,631,000 shall be for the United States and Foreign Commercial Service, and $13,225,000 shall be for Executive Direction and Administration; Provided further, 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.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance programs 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 as provided for by law, $30,765,000: Provided, That these funds may be used to monitor projects approved for assistance under the Trade Adjustment Assistance Act of 1974, as amended, title II of the Trade Act of 1974, as amended, and the Community Economic Development 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, $28,906,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $72,118,000, to remain available until expended.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

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

PERIODIC CENSUS AND PROGRAMS

For necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, $385,696,000, to remain available until expended.
NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $14,352,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary shall charge and separately account for and recover costs for services furnished pursuant to law: Provided further, That the Secretary of Commerce will designate a National Marine Fisheries Service Regional Office for the Pacific Islands to receive the sixty days of enactment of this Act: Provided further, That the Regional Administrator of the regional office for the Pacific area, who shall be hired within sixty days of enactment of this Act, shall be a current employee of the Pacific Island Area Office and shall be an employee at the grade of GS-15: Provided further, That of the funding provided for the National Marine Fisheries Service, $185,353,000 may be made available to the oyster industry in the State of Louisiana for economic assistance to the oyster fishery affected by Hurricanes Isidore and Hurricane Lili: Provided further, That such funds may be used only for (A) personal assistance with priority given to food, energy needs, housing assistance, transportation fuel, and other urgent needs; (B) assistance for small businesses including oystermen, oyster processors, and related businesses serving the oyster industry; (C) domestic product marketing and seafood promotion; and (D) State seafood testing programs: Provided further, That, in addition to the amounts provided, $1,000,000 shall be transferred from the Business Management Fund of the National Oceanic and Atmospheric Administration, which shall be available without fiscal year limitation for expenses and reimbursements, and a statement of the current assets and liabilities of the Business Management Fund as of the close of the completed fiscal year, shall be prepared each year: Provided further, That notwithstanding 31 U.S.C. 3302: Provided further, That any use of deobligated balances of funds provided under this heading in 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 reimbursement of the current assets and liabilities of the Business Management Fund as of the close of the completed fiscal year, shall be prepared each year: Provided further, That notwithstanding 31 U.S.C. 3302(b), the Business Management Fund may be credited with advances and reimbursements from applicable appropriations of the National Oceanic and Atmospheric Administration and other funds of other agencies for services furnished pursuant to law: Provided further, That any inventories, equipment, systems, real property and other assets over $25,000, pertaining to the services to be provided by such fund, either before or on or after the date on which liabilities or unpaid obligations, shall be capitalized to the Business Management
Public Law 95–372, not to exceed $954,000, to be available until expended for the purposes for which the funds were originally appropriated: Provided further, That none of the funds provided in this Act or any other Act under the National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction Act (10 U.S.C. ch. 55), such sums as may be necessary.

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 the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and the Secretary of Commerce may use such sums as are necessary for the purposes of the Act.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and the Secretary of Commerce may use such sums as are necessary for the purposes of the Act.

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 to the Department of Commerce by this Act shall be made available as a direct lump sum payment to the Alaska Fisheries Management Institute. The Board shall be authorized to 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 1989.

SEC. 205. Hereafter the Secretary of Commerce may enter into any cooperative agreement with the Department of Commerce under the Foreign Assistance Act of 1961, to carry out cooperative agreements for research, development, and implementation of foreign fishery observer programs, and for the maintains the annual costs of plant and equipment and associated services with proceeds of 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 for official entertainment, $41,494,000.

SEC. 207. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to 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 fund the Center for Nanoscale Science and Technology, $3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, $4,000,000 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 Fishery Products and Research Pertaining to American Fisheries”, Saltonstall-Kennedy grants may be used, in addition to the funds available in the previous fiscal year for Fishing Capacity Reduction under the Magnuson-Stevens Act Sections 312(b)–(e), Conservation, Engineering, Utilization of Harvesting Opportunities, Marine Resource Management, Marine Aquaculture, and Fisheries Socioeconomics: Provided, That no funds shall be provided under the Saltonstall-Kennedy Grant Program for any grant related to Atlantic salmon aquaculture development considering the endangered species status of Atlantic salmon.

SEC. 209. Of the amount available from the fund entitled “Promote and Develop Fishery Products and Research Pertaining to American Fisheries”, $20,000,000 is appropriated to develop an Alaska seafood marketing program. Such amount shall be made available as a direct lump sum payment to the Alaska Fisheries Marketing Board or a board similar to the Board which is hereby established to award grants to market, develop, and promote Alaska seafood and improve related technology and transportation programs on wild salmon, of which 70 percent shall be transferred to the Alaska Seafood Marketing Institute. The Board shall be appointed by the Secretary of Commerce and shall be a separate entity from the Forestry and Fishery Board or the Alaska Seafood Marketing Board. The Board shall submit an annual report to the Secretary detailing the expenditures of the Board.

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

(b) The United States Travel and Tourism Promotion Board (hereinafter “Board” or “the Board”) is hereby directed to recommend the appropriate coordinated activities to the Secretary for funding.

(c) The Secretary shall appoint the Board within 90 days after enactment and shall make tourism-related entities he deems appropriate.

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

(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 “Operations and Training” account, not more than $20,000 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 security benefits 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 1998 (Public Law 105–56). The default under the authority of any ship documented under the authority of this section shall offset such appropriation through the payment of interest by the Maritime Administration to not 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 both ships originally contracted under section 8109 of Public Law 105–56 may be constructed to completion in a shipyard located outside 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, not later than two years after entry into service of the first ship contracted for under section 8109 of Public Law 105–56, that owner (or a related person with respect to that owner) may re-document under U.S. flag with a coastwise endorsement one additional foreign-built cruise ship: Provided further, That any cruise ship to be documented under the authority of this section shall be immediately eligible for documentation of the vessel for the approval contained in section 12102 of title 46, United States Code, and the Secretary shall determine a bid score by dividing the bid’s dollar amount by the average annual total ex-vessel dollar value of landings of Pacific groundfish, Dungeness crab, and Pink shrimp harvested in the 3 high-value fisheries earned from such stocks that the bidder’s reduction vessel landed during 1998, 1999, 2000, or 2001. For purposes of this paragraph, the term “reduction vessel” means a vessel engaged on an annual basis.

SEC. 212. WEST CoilTAD GROUNDFISH FISHERY CAPACITY REDUCTION. (a) The Secretary of Commerce shall implement a capacity reduction program for the West Coast groundfish fishery pursuant to section 212 of Public Law 107–206 and 16 U.S.C. 1861a(b)(6) (c); except that the program may be reduced or increased; except that within 90 days after the date of enactment of this Act, the Secretary shall publish a public notice in the Federal Register and issue an invitation to bid for reduction vessel permits that specifies the contractual terms and conditions under which bids shall be made and accepted under this section; except that section 144(d)(1)(K)(3) of title I, division B of Public Law 106–554 shall apply to the program implemented by this section.

(b) A reduction vessel is eligible for capacity reduction under the program implemented under this section; except that no vessel harvesting or processing whiting in the catcher-processors sector (section 19 660.323(a)(4)(A) of title 50, Code of Federal Regulations) may participate in any capacity reduction referendum or industry fee established under this section.

(c) A referendum on the industry fee system shall occur after bids have been submitted, and such bids have been accepted by the Secretary, as follows: members of the reduction fishery, and each of the States of Washington, Oregon, or California Dungeness crab and Pink shrimp permits, shall be eligible to vote in the referendum to approve an industry fee system; referendum results shall be weighted in proportion to the debt obligation of each fishery, as calculated in subsection (f) of this section; the industry fee system shall be approved if the referendum votes cast in favor of the proposed system constitute a simple majority of the participants voting; except that notwithstanding 5 U.S.C. 553 and 16 U.S.C. 1861a(e), the Secretary shall publish proposed or final regulations for the implementation of the program under this section before the referendum is conducted.

(d) Nothing in this section shall be construed to prohibit the Pacific Fishery Management Council from recommending, or the Secretary from approving, changes to any fishery management plan, or the Secretary from promulgating regulations (including regulations governing this program), after an industry fee system has been approved by the reduction loan's term shall not be less than 30 years.

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

(i) It is the sense of the Congress that the States of Washington, Oregon, and California should revoke all relinquishment permits in each of the fee-share fisheries immediately after reduction payment, and otherwise to implement amendments and conservation provisions in each of the fee-share fisheries that establishes a program that meets the requirements of 16 U.S.C. 1441a(b)(1)(B) as if it were applicable to fee-share fisheries.

(j) The term “fee-share fishery” means a fishery, other than the reduction fishery, whose members are eligible to vote in a referendum for an industry fee system under paragraph (c). The term “reduction loan sub-amount” for each of the fee-share fisheries to which such permits pertain; except that, each fish seller in the reduction loan sub-amounts allocated to it under this paragraph: except that the Secretary may enter into an agreement with the States of Washington, Oregon, and California to collect any fees established under this paragraph.

(k) The Secretary shall establish separate reduction loan sub-amounts and repayment fees for fish sellers in the reduction fishery and for fish sellers in each of the fee-share fisheries by dividing the total ex-vessel dollar value during the bid scoring period of all reduction vessel landings from the reduction fishery and from each of the fee-share fisheries by the total such value of all such landings for all such fisheries.

(l) Each fish seller in the reduction fishery and for each of the fee-share fisheries by the total such value of all such landings for all such fisheries.

(m) Each fish seller in each of the fee-share fisheries by the total such value of all such landings for all such fisheries.

(n) Each fish seller in each of the fee-share fisheries by the total such value of all such landings for all such fisheries.
for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized; and for necessary expenses, $531,792,000, to remain available until September 30, 2004.

Fees of Jurors and Commissioners

For fees and expenses of jurors as authorized; compensation of commissioners as authorized; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure, $54,636,000, to remain available until September 30, 2004: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 532 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to providing protective guard services for United States courthouses and the procurement, installation, and maintenance of security equipment for United States court-houses and other facilities housing Federal court operations, including building ingress-exgress control, inspection of mail and packages, directed security and other similar activities, $276,342,000, of which not to exceed $10,000,000 shall remain available until expended for security systems or contract costs for court security for which funds are authorized; provided, That 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” appropriation 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 $1,000,000 shall remain available through September 30, 2004, to provide education and training to Federal court personnel; and of which not to exceed $1,000,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers’ Retirement Fund, as authorized, $27,700,000; to the Judicial Survivors’ Annuities Fund, as authorized, $20,000,000; to the Federal Court 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 58 of title 28, United States Code, $11,835,000, of which not to exceed $1,000,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

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

SEC. 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 may 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 603 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, any salaries and expenses appropriation 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 $11,000,000: Provided further, That the accompanying appropriation shall be administered by the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Pursuant to section 140 of Public Law 97–92, Justices and judges of the United States are authorized during fiscal year 2003, to have salary adjustments pursuant to 28 U.S.C. 461: Provided, That $7,972,000 is appropriated for salary adjustments pursuant to this section and such funds shall be transferred to and merged with appropriations in title III of this Act.

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 not otherwise provided for, including employment, without regard to civil service laws, for representation with persons on a temporary basis, $30,000,000: Provided further, That the amounts made available under this heading, $2,400,000 may be transferred to, and merged with, funds in the “Emergencies in the Diplomatic and Consular Service” appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That the amount made available under this heading for Oceans and International Environmental and Scientific Affairs, $4,000,000 shall be for negotiations of a binding turtle bycatch reduction agreement for the Eastern Tropical Pacific and Central Pacific, as provided further, That, the amount made available under this heading, $5,000,000 shall be made available only for the renovation of the United States embassy building in Jakarta, as provided further, That, of the amount made available under this heading, $10,000,000 shall remain available until expended for space alteration and construction projects.

PROBATION AND PRETRIAL SERVICES

SALARIES AND EXPENSES

For necessary expenses for probation and pretrial services, $717,214,000.

COURT SERVICES

SALARIES AND EXPENSES

For fees and expenses of jurors as authorized; compensation of commissioners as authorized; compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure, and for necessary expenses, $54,636,000, to remain available until expended for space alteration and construction projects.

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), bankruptcy judges and magistrates retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and their staff, $718,736,000.

COURT SUPPORT

SALARIES AND EXPENSES

For necessary expenses for the operation of the courts, including travel and hire of passenger motor vehicles, $1,048,677,000, of which not to exceed $2,000,000 is authorized for official reception and representation expenses.

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

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For expenses necessary for court services, including the purchase of firearms and ammunition, supplies, and equipment and the payment of rent, $1,394,039,000, of which not to exceed $29,277,000 shall be available for space alteration and construction projects.

PROBATION AND PRETRIAL SERVICES

SALARIES AND EXPENSES

For wages necessary for probation and pretrial services, $717,214,000.

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1982 (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant was a government witness by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent parties for in connection with transfers from the United States to foreign countries with which the United States has a treaty for
agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, as amended; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the revolving fund authorized by section 135(e) of Public Law 103–236 shall not be available during the fiscal year ending September 30, 2003, to remain available until expended.

COMMUNITY DEVELOPMENT

For necessary expenses for the Community Development Account, $19,000,000, to remain available until expended, as authorized.

SECURITY FOR FOREIGN MISSIONS

For necessary expenses for the security for foreign missions, as authorized, $287,881,000, to remain available until expended until expended, as authorized.

EQUIPMENT, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for equipment, construction, and maintenance, as authorized, $6,485,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided for, to enable the Secretary of State to provide protection for U.S. officials, $30,000,000, to remain available until expended, as authorized.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $257,881,000, to remain available until expended, as authorized.

REPRESENTATION ALLOWANCES

For representation allowances, as authorized, $6,485,000.

CONSTRUCTION

For necessary expenses for the construction of facilities, as authorized, $6,485,000.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, for the International Cooperation Commission, the International Financial Commission, the International Residual Crimes Tribunal, and the International Narcotics Control Board, $6,500,000, to remain available until expended, as authorized.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

For contributions to international organizations, $9,000,000.

PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and non-assessed peacekeeping contributions, $673,110,000, of which 15 percent shall remain available until expended, as authorized.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $210,000,000, to remain available until expended, as authorized.

SALARIED AND EXPENSE

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

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $5,685,000, to remain available until expended, as authorized.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $1,900,000.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of the Eisenhower Exchange Fellowship Program Trust Fund, $2,000,000.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, $2,000,000.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $6,500,000, to remain available until expended, as authorized.

REPRODUCTION OF LAWS 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, $507,000, which may be transferred to the United States Holocaust Memorial Museum Consultation Programs account under Administration of Foreign Affairs.

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 authorized.

SECTION 307, TREATY OF VERSAILLES

For expenses incurred on or after October 1, 1984, through external borrowings: Provided further, That funds appropriated under this paragraph may be obligated by such organization for loans incurred on or after October 1, 1984, through external borrowings.

AMERICAN EMBASSIES AND CONSulates

For payment of expenses necessary for the United States Embassy Retiree Health Care Fund, as authorized by law, $138,200,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international organizations, pursuant to treaties ratified, or conventions or agreements, $6,000,000.

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For contributions to international organizations, not to exceed $1,000,000.

CIVILIAN LIFE IN JORDAN

For expenses incident to the U.S. Government representing American interests in Jordan, as authorized, $10,250,000, to remain available until expended, as authorized.

REPEATED 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, $507,000, which may be transferred to the United States Holocaust Memorial Museum Consultation Programs account under Administration of Foreign Affairs.

PAYMENT TO THE UNITED STATES' SHARES OF INTERNATIONAL ORGANIZATIONS

For payments into the United States' share of the International Fishery Commissions, not otherwise provided for, as authorized by law, $9,000,000.

INTERNATIONAL COMMISSIONS

For expenses necessary for the payment of the United Nations' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 332.

PAID TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For necessary expenses of the Foreign Service Retirement and Disability Fund, as authorized by law, $138,200,000.

OTHER

For necessary expenses for 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 the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2003, to remain available until expended.

ISRAELI ARAB SCHOLARSHIP 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 Program 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 payment thereof, in excess of the rate authorised by 5 U.S.C. 3376; or for purposes which are in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

CONGRESSIONAL RECORD — SENATE

January 28, 2003

S1532
NATIONAL ENDOWMENT FOR DEMOCRACY
For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $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, $431,056,000, to remain available until expended.

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 transmission and reception; the purchase and installation of necessary equipment for radio and television transmission and reception; $24,996,000, to remain available until expended.

BROADCASTING CAPITAL IMPROVEMENTS
For the purchase, rent, construction, and improvement of facilities for radio transmission and reception; the purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $13,740,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND AGENCY
SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subsections (c) and (d) of section 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 134(i).
SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such transfer except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.
SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.
SEC. 404. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2002 or any fiscal year thereafter may be obligated or expended for the operation of a United States consulate or diplomatic or consular facility in Jerusalem unless such consular or diplomatic facility is under the supervision of the United States Ambassador to Israel.
SEC. 405. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2003 or any fiscal year thereafter may be obligated or expended for the publication of any official Government document which lists countries and their capital cities unless that publication identifies Jerusalem as the capital of Palestine.
SEC. 406. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, and transmission and receipt thereof shall, upon request of the citizen, record the place of birth as Israel.

SEC. 407. (a) Not later than February 15, 2003, the Secretary of the Navy shall, without reimbursement, to the Secretary of State administrative jurisdiction over the parcels of real property to be transferred to the United States described thereon, consisting in aggregable of approximately 10 acres at Naval Base, Charleston, South Carolina, described in subsection (b).
(b) The parcels of real property described in this subsection are as follows:
(1) A parcel bounded by Hollis Street, Drew Avenue, and Hobson Avenue to the entrance way immediately of Building 202.
(2) A parcel bounded on the north by Drew Avenue comprising Building 644.
(c) The transfer of real property under subsection (a) shall not affect the validity or term of any lease with respect to such real property in effect as of the date of the transfer.
(d) The Secretary of State shall use the property transferred under subsection (a) for support of diplomatic and consular operations.
(e) The exact acreage and legal description of the property transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of the survey shall be borne by the Secretary.
(f) The Secretary of the Navy may require such additional terms and conditions in connection with the transfer of property under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.
This title may be cited as the “Department of State and Related Agency Appropriations Act, 2003”.

TITLE V—RELATED AGENCIES
DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION
MARITIME SECURITY PROGRAM
For necessary expenses to maintain and preserve a United States merchant marine to serve the national security needs of the United States, $99,700,000, to remain available until September 30, 2005.

OPERATIONS AND TRAINING
For necessary expenses of operations and training activities, $99,904,000, of which $13,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT
For the cost of guaranteed loans, as authorized, $32,852,000, to remain available until September 30, 2005.

SEC. 408. For necessary expenses of the Commission on Security and Cooperation in Europe, $1,550,000.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
SALARIES AND EXPENSES
For necessary expenses of the Commission on Security and Cooperation in Europe, $3,000,000.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
SALARIES AND EXPENSES
For necessary expenses of 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 PEOPLE’S 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 $31,000,000 for payments to State and local enforcement agencies for authorized services to the Commission, $320,436,000.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
SALARIES AND EXPENSES
For necessary expenses of the Commission on International Religious Freedom, $1,000,000.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
SALARIES AND EXPENSES
For necessary expenses of the Commission for the Preservation of America’s Heritage Abroad, $639,000.

SALARIES AND EXPENSES
For expenses for the Commission for the Preservation of America’s Heritage Abroad, $639,000.

SALARIES AND EXPENSES
For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,096,000.

COMMISSION ON OCEAN POLICY
SALARIES AND EXPENSES
For necessary expenses of the Commission on Ocean Policy, $3,000,000.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $50,000,000 for official receptions and representation expenses; not to exceed $3,000,000 for research and policy studies; non-monetary awards to private citizens; and not to exceed $33,000,000 for special counsel fees; and services as authorized by 5 U.S.C. 3109, $275,400,000, of which not to exceed $300,000,000 shall remain available until September 30, 2004, 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 $300,000,000 shall 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 9 of title I 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 expended: Provided further, That the sum herein appropriated shall be reduced by the amount of offsetting collections 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.
For necessary expenses of the Federal Maritime Commission, including services as authorized by sections 310, 311, and 312 of the Merchant Marine Act, 1936, as amended, not to exceed $166,000,000: Provided, That not to exceed $0 shall be available for official reception and representation expenses.

For necessary expenses of the National Transportation Safety Board, including amounts as authorized by 25 U.S.C. $335a(2): Provided, That not to exceed $8,878,000 shall be available for official reception and representation expenses.

For necessary expenses of the Securities and Exchange Commission, including services as authorized by sections 4(i), 7(a), 8(a), 9(a), 10(a) and 12(a) of the Securities Exchange Act of 1934, not to exceed $260,000,000: Provided, That not to exceed $10,000,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions.

For necessary expenses of the Small Business Administration, including services as authorized, for fiscal year 2003, not to exceed $1,300,000,000: Provided, That fees and charges collected for premerger notification filings of mergers and acquisitions, not to exceed $166,000,000 of offsetting collections derived from fees collected for mergers and acquisitions under the Hart-Scott-Rodino Antitrust Improvement Act of 1976 (15 U.S.C. 44 et seq.), and of which $10,000,000 shall be collected pursuant to this authority: Provided further, That fees and charges collected for consultations and meetings hosted by the Commission on foreign governmental and administrative authorities of their jurisdictions, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic, administrative and overhead expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken at such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78f(b)), 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78i(e), 78o(g), and 78ss) shall be credited to this account as offsetting collections: Provided further, That not to exceed $65,700,000 of such offsetting collections shall be available until expended for necessary expenses of this Commission.

SEC. 602. No part of any appropriation contained in this Act shall be used for propaganda purposes not authorized by the Congress.

TITLE VI—GENERAL PROVISIONS

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

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

SEC. 603. The expenditure of any appropriation under this Act for any consulting service contract, procurement contract, or lease contract, for or under the contract, by any Federal department or agency, shall be limited to the amount herein appropriated, and no further amount shall be available for such purpose or for any public use or purpose by or for the United States.
The sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on 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.

Section 609. None of the funds appropriated or otherwise made available by this Act shall be available for a grant to the Innovation and Industry Hall of Fame; $5,000,000 shall be for the Black Hills Rural Tourism Marketing Project; $1,000,000 shall be for the National Inventor’s Hall of Fame; $5,000,000 shall be for the National Museum of Natural History; and $200,000 shall be for the Center for Women and Enterprise; $2,000,000 shall be for the Oklahoma Interstate Mammal Commission; $1,000,000 shall be for the American Museum of Natural History; and $200,000 shall be for the Program for International Education and Training.

Section 616. None of the funds appropriated pursuant to this Act or any other provision of law, or otherwise made available by this Act, shall be available for a grant to the Tuck School and Minority Business Development Agency Partnership; $2,000,000 shall be for the Oklahoma International Trade Processing Center; $300,000 shall be for the Center for Women and Enterprise; $500,000 shall be for the Quants Revolution Corporation; $800,000 shall be for Kennesaw State University Family Business Initiative; $500,000 shall be for the Idaho Virtual Incubator, Phase II; $1,500,000 shall be for the Adelante grant; $300,000 shall be for the Immigration Services project in Iowa; $2,000,000 shall be for the Microdevice Fabrication Facility; $4,900,000 shall be for the Marine Mammal Commission; $900,000 shall be for the Crawford Bay Library; $1,000,000 shall be for technical upgrades for the Northwest Center for Engineering, Science, and Technology; $1,000,000 shall be for the Southern New Mexico High Technology Consortium; $1,000,000 shall be for the American Museum of Natural History; and $200,000 shall be for the Program for International Education and Training.

Section 618. USE OF EMERGENCY FUNDS FOR SMALL BUSINESS LOANS. The matter under the heading “BUSINESS LOANS PROGRAM ACCOUNT” in chapter 2 of division B of the Department of Defense and Emergency Supplemental Appropriations Act, 2002, (Public Law 107–117) is amended by striking “For emergency expenses” and inserting the following:

“for the purposes of providing funds under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) or for emergency expenses”.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND (RESCISSION)

Of the unobligated balances available under this heading, $38,230,000 are rescinded.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND (RESCISSION)

Of the unobligated balances available under this heading, $30,674,000 are rescinded.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES (RESCISSION)

Of the unobligated balances available under this heading, $120,000,000 are rescinded.

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

CONGRESSIONAL RECORD—SENATE S1535
on Appropriations of the Senate and House of Representatives on the steps these agencies will take to improve the appearance of security measures in the District of Columbia in accord- ance with the recommendations of the House Committee on Appropriations and the Senate Committee on Appropriations; and to the Committee on Government Reform of the House of Representatives: Provided further, That funds made available for capital improvements for expenditures in the District of Columbia shall be ap- propriated and expended in the same manner as funds appropriated for expenses of other Fed- eral 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 sub- mitted 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.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2004 and section 11–2005, D.C. Official Code (re- lating to representation provided under the District of Columbia Criminal Justice Act), pay- ments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 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 such other services as are necessary to improve the quality of guardian ad litem representation, and payments for counsel author- ized under section 11–2006, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $34,000,000, 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 the $35,201,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for pay- ments for counsel appointed in proceedings in the District of Columbia under chapter 23 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 such other services as are necessary to improve the quality of guardian ad litem representation, and payments for counsel author- ized under section 11–2006, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $35,201,000, to remain available until expended: Provided, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall be authorized to make payments for counsel author- ized under section 11–2006, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act) $34,000,000, provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for pay- ments for counsel appointed in proceedings in the District of Columbia under chapter 23 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 such other services as are necessary to improve the quality of guardian ad litem representation, and payments for counsel author- ized under section 11–2006, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act).
SEC. 1. PAYMENTS FOR REPRESENTATION OF INDIANS.
(a) SERVICES OF COUNSEL.—Section 11–2604, District of Columbia Code, is amended in subsection (a), by striking "365" and inserting "375":[[.]]

(b) EFFECTIVE DATE.—The amendment made by this provision shall apply with respect to cases and proceedings initiated on or after October 1, 2001.

(c) The hourly rate paid to attorneys representing indigent defendants in the District of Columbia under sections 11–2602 and 16–2326.01(b) of the District of Columbia Code shall be $90 per hour, effective October 1, 2001.

SEC. 2. INCLUSION OF COURT EMPLOYEES IN LONG-TERM CARE INSURANCE.
(a) IN GENERAL.—The provisions of Title 5, United States Code, as amended by adding before the period "(other than an employee of the District of Columbia courts)".

(b) Sections 11–1726, District of Columbia Code, is amended as follows:

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

(2) in subsection (c)(1), 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 shall be used to implement Transportation Systems Management initiatives and strategies recommended in the October 2001 report by the Interagency Task Force of the National Capital Planning Commission in coordination with the National Capital Planning Commission.

FEDERAL PAYMENT TO THE DEPARTMENT OF TRANSPORTATION.
For a Federal payment to the Department of Transportation in the District of Columbia in the amount of $1,000,000: Provided, That such funds will be deposited in the Crime Victims Assistance Fund, established by section 16a of the Compensation Act, for the purpose of operating activities, and shall remain available until expended.

SEC. 4. TRANSFER OF FINES.
Notwithstanding any other law, the District of Columbia Courts shall vest, accept, receive, and collect and remit to the [District of Columbia] Treasury and expend the law enforcement and prosecution of District of Columbia traffic alcohol laws in accordance with section 10(b)(3) of the District of Columbia Traffic Control Act, approved March 3, 1923 (43 Stat. 1124; D.C. Official Code, sec. 50–2201.05(b)(3)).

SEC. 5. TRANSFER TO CHILD AND FAMILY 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 transfer of funds, vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Governance Demonstration Act of 1997 (Public Law 105–33; 111 Stat. 712), $154,707,000 of which not to exceed $2,000,000 is authorized to be used for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or protective orders of limited scope; Provided, That such funds will be for salaries and expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or protective orders of limited scope; Provided further, That the Director shall keep accurate record of any gift or donation under the previous paragraph and use gifts in the form of in-kind contributions to the District of Columbia in accordance with the District of Columbia Forensic Science Act of 1996, to include expenses relating to the design and construction of a state-of-the-art forensics laboratory.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR CHARTER SCHOOL FACILITIES.
For a Federal payment to the District of Columbia for development of Charter School facilities, $30,000,000, to remain available until expended, to be allocated as follows:

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, $5,000,000, for capital and equipment improvements.

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 seven new residential group homes and for renovations of a 10,000-square-foot building to educate and train offenders and defendants: Provided further, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous provisions, and shall make such records available for audit and public inspection.

FEDERAL PAYMENT TO THE DEPARTMENT OF ENERGY.
For a Federal payment to the Department of Energy in the amount of $2,000,000, to be used to implement Transportation Systems Management strategies recommended in the report of 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 available for the Washington Metropolitan Area Transit 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 the District shall provide a 50 percent match for the fiscal year 2003 Federal contribution of $25,000,000 to begin the design and construction of a state-of-the-art forensics laboratory.

ADMINISTRATIVE PROVISIONS.
Sec. 6. CHARTER SCHOOL DEVELOPMENT.
SEC. 603(e) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 2999–283) shall be amended by inserting the following new paragraphs:

"(2) OFFICE OF CHARTER SCHOOL FINANCING AND SUPPORT.—
(A) ESTABLISHMENT.—There is established within the District of Columbia, under the authority of the Department of Banking and Financial Institutions, an Office of Public Charter School Financing and Support.
(B) FUNCTIONS.—The office shall have the following three functions:

(1) CREDIT ENHANCEMENT FUND.—To administer the Credit Enhancement Fund for Public Charter Schools.

(2) DIRECT LOAN PROGRAM.—To administer the Direct Loan Program.

(3) OTHER.—To develop, implement and provide oversight for other public charter school financing programs and support services as requested by the Mayor and the Council of the District of Columbia.

(C) CONTRACT AUTHORITY.—The functions described in sections (1) and (2) may be performed by the Office of Public Charter School Financing and Support or under contract with a qualified provider.

(4) CREDIT ENHANCEMENT FUND FOR PUBLIC CHARTER SCHOOLS.—
(A) ADMINISTRATION OF PROGRAM.—The Credit Enhancement Fund for Charter Schools shall be administered by the Office of Charter School Financing and Support.

(B) DISTRIBUTION OF AMOUNTS.—Of the amounts in the credit enhancement fund established under paragraph (2), $5,000,000 shall be made available under subparagraph (B): Provided, That such funds will be used to make grants to one or more eligible entities in the District of Columbia for the Combined Sewer Overflow Long-Term Control Plan, to be used for system design and upgrades; Provided further, 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.

SEC. 603(e) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 2999–283) shall be amended by inserting the following new paragraphs:
“(A) ESTABLISHMENT.—There is established a Direct Loan Fund for Charter School Improvement.

(B) ADMINISTRATION OF PROGRAM.—The Direct Loan Fund for Charter School Improvement, established by this section, shall be administered by the Office of Charter School Financing and Support.

(C) FUNDS DISTRIBUTED.—Funds distributed under this paragraph shall be for construction, purchase, renovation, and maintenance of charter school facilities.

(D) MORTGAGE LOANS.—Loans distributed under this paragraph shall not exceed $2,000,000 per charter school.

(E) INTEREST AND TERMS.—The Office of Charter School Financing and Support should do its best to provide low interest options and flexible terms.

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

(i) A public charter school approved pursuant to the School Reform Act by the Chartering Authority of the District of Columbia.

(ii) Meeting or exceeding its performance goals as outlined in its originating charter.

(G) FACILITIES ALLOWANCE IN REPAYMENT OF LOANS.—In repaying a loan granted under this paragraph, a debtor may use facility maintenance funds granted to them by the District of Columbia for payment of any interest.

SEC. 7. REPORT TO CONGRESS. No later than April 1, 2003, the Comptroller General shall prepare and submit to the Committees on Appropriations of the Senate and the House of Representatives, a detailed analysis of the national effort to establish adequate charter school facilities including a comparison to the efforts in the District of Columbia.

SEC. 8. SURPLUS BUILDINGS. The Mayor of the District of Columbia and the Chairman of the Council of the District of Columbia, in consultation with the General Services Administration, shall conduct an assessment of all buildings currently held in surplus and those that might be made available within one year of the date of enactment of this Act. Provided, That such assessment include a survey of the space available, a listing of appropriate uses, a listing of potential private funding sources, and a determination of the renovation or construction necessary to accommodate proposed uses: Provided further, That within 180 days of enactment, the Mayor shall report to the Committees on Appropriations of the Senate and the House of Representatives the findings of such assessment along with a plan for occupying at least 50 percent of the space available at the time the assessment is submitted: Provided further, That assignments of space included in this plan shall be in compliance with preferences outlined in the D.C. School Reform Act.

SEC. 9. INCENTIVES TO PROMOTE THE ADOPTION OF CHILDREN. The Mayor of the District of Columbia, in administering funds provided under the heading “Federal Payment for Incentives for Adoption of Children,” Public Law 106–113 (113 Stat. 1951), provided 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 within nine months of the date of enactment of this Act: (i) the Chief Financial Officer of the District of Columbia shall certify that not less than 75 percent of the funds provided for attorney fees and home studies have been expended; 

(ii) the Mayor shall establish an outreach program to inform adoptive families and children without legal representation the benefits of adoption and shall establish such programs with these funds; (iii) the Mayor shall establish the location, necessary personnel and mission of the adoptive family resource center in the District of Columbia: Provided, That the Mayor shall identify not less than 25 percent of the eligible children in the District of Columbia foster care system with special needs and obligate not less than 75 percent of the funds provided in Public Law 106–113 (113 Stat. 1951) for adoption incentives and support for children with special needs: Provided, That the District of Columbia and the Mayor of the District of Columbia shall provide quarterly reports beginning on the date of enactment of this Act to the Committees on Appropriations of the Senate and the House of Representatives, detailing the expenditure of funds provided for the promotion of adoption and performance in actually placing eligible children: Provided further, That the Mayor and Child and Family Services Agency of the District of Columbia shall number the number of waiting children in the Family Services Agency of the District of Columbia adoption pool by listing by 75 percent.

SEC. 10. SPECIAL EDUCATION ACCOUNTABILITY. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of any litigation, under the IDEA from the District of Columbia: Provided, That as part of the certification, the Chief Financial Officer of the District of Columbia may require all attorneys and legal representatives to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, school districts, or school service providers to which the attorneys have referred any clients as part of this certification: Provided further, That the Chief Financial Officer shall present to the Inspector General of the District of Columbia a report including information on audits of such attorneys: Provided further, That the Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES

DIVISION OF EXPENSES

The following shall be the amount appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided for in this Act: Provided, That as part of the certification, the Chief Financial Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives the findings of such assessment along with a plan for occupying at least 50 percent of the space available at the time the assessment is submitted: Provided further, That assignments of space included in this plan shall be in compliance with preferences outlined in the D.C. School Reform Act.

SEC. 11. FEES AND CHARGES.—In accordance with the District of Columbia Code, sec. 2–1215.15 et seq.: Provided, That such increases shall not exceed $500,000 for the Office of the Corporation Counsel: Provided further, That such increases shall not exceed $500,000: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses that are necessary to accommodate the debt service: Provided further, That the Mayor shall use revenues from Federal sources shall be used to support the operations or activities of the State Department of Services when the Council Committee on Public Services approves grant for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $25,000,000: Provided, That of the funds $96,190,000 from other funds, $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the Mayor, $8,000,000 of which shall be used for administrative expenses, shall be available to the Mayor for spending authorized by the General Services Administration: Provided further, That the District of Columbia shall be exempt from taxes levied by the District of Columbia: Provided further, That $1,500,000, of which no amount may be expended for any purposes that would otherwise be taxable by the Internal Revenue Service, shall be available to the Mayor for administrative expenses, shall be available to the Mayor for spending authorized by the General Services Administration: Provided further, That the District of Columbia shall be exempt from taxes levied by the District of Columbia.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $258,539,000 (including $64,533,000 from local funds, $1,554,000 from Federal funds, and $18,348,000 from other funds): Provided, That not to exceed $2,500,000 for the Mayor, $2,500,000 for the Chairman of the Council of the District of Columbia, and $2,500,000 for the City Administrator shall be available from this appropriation for operating expenses that are necessary to accommodate the debt service: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses that are necessary to accommodate the debt service: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the State Department of Services when the Council Committee on Public Services approves.
a spending plan prepared and submitted, by the agency, to the Committee on Public Services for its approval.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, $659,892,000 (including $21,867,000 from local funds, $3,524,000 from Federal funds, and $8,524,000 from other funds): Provided, That not to exceed $500,000 shall be available from this appropriation for the Chief Police Surgeon and for direction of the District of Columbia Metropolitan Police Department.

Standing the amounts otherwise provided under the District of Columbia at a rate that covers 100 percent of costs for the fiscal year 2003 unless the nonresident pays tuition to any public institution of higher education in the District of Columbia.

(4) THE UNIVERSITY OF THE DISTRICT OF CO-

LUMBIA.—$19,050,000 from other funds) shall be available for public charter schools:

Provided, That any public charter school currently receiving from funds appropriated earlier in this Act as a Federal Payment, to remain available until expended, for development of Charter School facilities in the District of Columbia.

ADMINISTRATIVE PROVIDING

SEC. 11. CHARTER SCHOOL FUND. The School Reform Act of 1995, approved November 19, 1997 (Public Law 105–100, sec. 172; 111 Stat. 2191; D.C. Official Code, sec. 38–1804.03(b)), is amended to read as follows:

(6) PAYMENTS TO CHARTER SCHOOLS.

(1) ESTABLISHMENT OF FUND.—The fund previously established in the general fund of the District of Columbia pursuant to 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:

(7) CHARTER SCHOOL FACILITIES.—$20,000,000, from funds appropriated earlier in this Act as a Federal Payment, to remain available until expended, for development of Charter School facilities in the District of Columbia.
$1,377,680,000 from Federal funds, and $52,987,000 from other funds): Provided, That an additional amount of $23,867,000 from funds appropriated in this Act under the heading "Tohono O’odham Fund Transfer Program", which may be transferred from the Medicaid and Special Education Reform Fund, established by the Medicaid and Special Education Reform Act of 2002, approved by the Council of the District of Columbia on 1st reading on May 7, 2002 (Bill 14–699), of which, to not exceed, $7,072,000 for Child and Family Services, $5,795,000 for the Department of Human Services, and $1,000,000 for the Department of Health: Provided further, That $49,867,000, to remain available until expended, shall be deposited in the Medicaid and Special Education Reform Fund for the purpose of ensuring there are adequate resources available to support Medicaid costs and revenue shortfalls: Provided further, That $37,859,000, to remain available until expended, shall be available solely for the District of Columbia employees’ disability compensation: Provided further, That $7,060,000, to remain available until expended, shall be deposited in the Addiction Recovery Fund, established pursuant to section 5 of the Choice in Drug Treatment Act of 2000, effective July 8, 2000 (D.C. Law 14–38; D.C. Official Code, sec. 7–3004), and used exclusively for the purpose of the Drug Treatment Choice Program, established pursuant to section 4 of the Choice in Drug Treatment Act of 2000 (D.C. Law 14–38; D.C. Official Code, sec. 7–3003): Provided further, That no less than $2,000,000 shall be available exclusively for the purpose of funding the pilot substance abuse program for youths 16 through 21 years of age established by section 4212 of the Pilot Substance Abuse Program for Youth Act of 2001, effective October 3, 2001 (D.C. Law 14–204; D.C. Official Code, sec. 4–204.07): Provided further, That $7,309,000 of this appropriation, to remain available until expended, shall be deposited in the Interim Disability Assistance Fund to be used exclusively for the Interim Disability Assistance program established by section 201 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 14–38; D.C. Official Code, sec. 4–202.01), and the purposes for that program set forth in section 407 of the District of Columbia Public Assistance Act of 1982, effective April 2, 2001 (D.C. Law 13–252; D.C. Official Code, sec. 4–204.07): Provided further, That no less than $500,000 shall be available exclusively for the Mobile ©onstruction Program for Kids: Provided further, That the paragraph under the heading “Human Support Services” in Public Law 107–96, approved December 21, 2001, is amended: (a) to read as follows: “(a) Provided further, That $3,468,000 shall remain available until expended for Interim Disability Assistance”: Provided further, That $4,000,000, from funds previously appropriated in this Act as a Federal Payment for Family Literacy, shall be used for the Family Literacy Program in the District of Columbia.

PUBLIC WORKS
Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $324,828,000 (including $309,834,000 from local funds, $4,699,000 from Federal funds, and $40,252,000 from other funds): Provided, That such appropriation shall not be available for collecting fines or miscellaneous refuse from hotels and places of business.

WORKFORCE INVESTMENTS
For workforce investments, $54,186,000 from local funds, to be transferred by the Mayor of the District of Columbia from within the general appropriation headings in this Act for which employees are properly payable.
The Council approves the request after receiving the statement described in sub-subparagraph (ii) of this subparagraph from the Chief Financial Officer.

(3)(A) If the Chief Financial Officer does not transmit to the Council the statement described in subparagraph (A)(ii) of this paragraph during the 15-day period, which begins on the date the Mayor submits the request for reimbursing the Mayor, the Chief Financial Officer shall be deemed to have transmitted the statement to the Council. With written notice from the Mayor to the Chief Financial Officer, the Chief Financial Officer may extend the time period to transmit the statement and analysis to the Council, not to exceed 10 additional days.

(4) Any of the annual budget for a fiscal year that is a non-control year, no reprogramming of amounts in the budget may occur unless the Mayor submits to the Council a request for such reprogramming and the Council approves the request, but only if any additional expenditures provided under such request for an activity are offset by reductions in expenditures for another activity.

(5) For purposes of this subsection, the term control year has the meaning given such term in section 305(4) of the District of Columbia Financial Management and Regulatory Assistance Act of 1995, approved April 17, 1995 (109 Stat. 132; D.C. Official Code, sec. 47-393(4)).

SEC. 14. COLLECTIVE BARGAINING REPRESENTATION.

Notwithstanding any other provision of law, any appropriated funds in 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. These amounts shall be available to 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, $253,743,000 from other funds of which $18,091,000 shall be apportioned for repayment to the District’s debt service fund for repayment of loans and interest incurred on capital improvement projects.

For construction projects, $342,458,000, in the following capital programs: $213,669,000 for the Blue Plains Wastewater Treatment Plant, $24,539,000 for the sewer program, $56,562,000 for the water program of which $50,000,000 is from funds appropriated earlier in this Act as a Federal Payment for Anacostia Waterfront Initiative, $3,635,000 for the stormwater program, $1,014,000 for the water program, $8,000,000 for the capital equipment program: Provided, That the requirements and restrictions that are applicable to general fund capital 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, $3,100,000 from other funds.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 2002 (83 Stat. 1174; D.C. Law 11-175; Public Law 97-91), for the purpose of implementing the Act to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes, $78,281,800; Provided, That 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 the proceeds of this District enterprise shall be used to fund or support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $210,560,000 of which $191,010,000 is from funds appropriated earlier in this Act as a Federal Payment for Anacostia Waterfront Initiative.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the purposes of this subsection, 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 the Committee on Oversight and Government Reform, and further, That the District of Columbia Retirement Board shall provide the Mayor, for transmission to the Council of the District of Columbia, and for the purposes of this Act to the agencies funded by this Act, both the Council of the District of Columbia, or their daily authorized representative.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

NATIONAL CAPITAL REVITALIZATION ENTERPRISE AND OTHER FUNDS

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

CAPITAL OUTLAY

INCLUDING RESECTIONS

For construction projects, an increase of $1,235,518,908 of which $253,991,128 shall be from a rescission from local funds appropriated under this heading in prior fiscal years, for a net increase of $981,527,780 to remain available until expended: Provided, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all applicable laws and regulations implemented under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects expressed in the Act: Provided further, That the District of Columbia Public Libraries shall allocate capital funds, from existing resources, in fiscal year 2003 for the planning and design of a new Francis Gregory Public Library.

GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes, increases in that amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: Provided, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Council, without further approval of the Mayor.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds of taxes and for the settlement of local government judgments that have been entered against the District of Columbia government: Provided, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 111(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act (50 Stat. 84; D.C. Code, sec. 47-1812.11(c)(3)).

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

SEC. 105. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, further, or facilitate any alienation of property. 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 made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, and salary are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Chief Financial Officer or the Council of the District of Columbia, or their daily authorized representative.

SEC. 107. (a) Except as provided in subsection (b), none of the funds appropriated in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any other legislative body.

(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 boycott; or

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

Nothing in this section may be construed to prohibit the election of an official from advocating with respect to 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 quarter and by project, for capital outlay borrowings: Provided, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and Congress the accomplishment and spending progress compared with projections.

SEC. 109. (a) None of the funds provided under this title may be used by the agencies of the District of Columbia, including the Federal and District government agencies, that remain available for obligation or expenditure 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 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 incorporated in the Congress, or provided by 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 funds appropriated 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 the transfer, except that in no event may any amount of any funds transferred exceed four percent of the local funds in the appropriation.

SEC. 110. Consistent with the provisions of 31 U.S.C. 1506, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 112. No later than 30 days after the end of the first quarter of the fiscal year ending Sept. 30, 2003, the Mayor of the District of Columbia shall prepare a quarterly report setting forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Code, sec. 2–303.03), except that in the case of the District of Columbia the new 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 for the fiscal year ending September 30, 2004. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 113. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Code, sec. 2–303.03), except that the District of Columbia government or any agency thereof may extend source contracts for which competition is not feasible or practical: Provided, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 114. (a) In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1115; 2 U.S.C. 1121–1177), 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 the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

(b) For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1115; Public Law 99–177), the term “program, project, and activity” shall be synonymous with and refer specifically to each account appropriated Federal funds in this Act, and any sequestration order shall be applied to each 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 the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 115. (a) In general.—(1) 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 section 3 of the act or any other act of Federal or District of Columbia government;

(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; except as provided in paragraph (1) (i) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia and (ii) if so designated by the Chief of the Department;

(3) The District of Columbia shall pay to the Secretary of the Treasury, such amounts as are sequestered by the sequestration order issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (87 Stat. 790; Public Law 93–198; D.C. Official Code, sec. 1–204.22(3)), shall apply with respect to the compensation of District of Columbia employees: Provided, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b) For purposes of this section, the term “entity of the District of Columbia government” includes an independent agency of the District of Columbia.

(c) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, 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 for any purpose not authorized for Federal, private, and other grants subject to this Act or for any other purpose not in the Act or in accordance with regulations and procedures of the District government in anticipation of the approval or receipt of a Federal, private, or other grant not subject to this Act.

SEC. 117. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term 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 Benefits Expansions Act of 1992 (D.C. Law 9–114; D.C. Official Code, sec. 32–201 et seq.) 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, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b) No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

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

(2) the Council, within 15 calendar days after receipt of such report, its limited report under this paragraph (1) has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(c) No amounts may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under subsection (b); and

(d) No amount proposed for the purchase of any gift or donation shall be made from the funds available in this Act, the head of the agency that receives the funds made available in this Act, the head of the agency that may be authorized to be purchased with funds made available in this Act or by any other Act used to purchase any gift or donation shall, in expending the assistance, purchase that student in an appropriate program of special education services, and

SEC. 121. Notwithstanding any other provision of this Act, the Mayor shall, not later than the date that a District of Columbia Public Schools (DCPS) student is referred for evaluation or assessment—

(1) the District of Columbia Board of Education, or its successor, and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 1114 of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), as determined by the District government in anticipation of the approval or receipt of a grant under subsection (b) or in anticipation of the approval or receipt of Federal, private, or other grant not subject to this subsection.

(a) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.

(b) Notwithstanding any other provision of this Act, none of the funds made available in this Act may be used to purchase any gift or donation that may be authorized to be purchased with funds made available in this Act, it is the sense of the Congress that entities receiving the assistance available in this Act shall purchase only American-made equipment and products to the greatest extent practicable.

(b)(1) In the case of any equipment or product that an entity receives assistance provided with funds made available in this Act, it is the sense of the Congress that entities receiving the assistance available in this Act shall purchase only American-made equipment and products to the greatest extent practicable.

(b)(2) In providing financial assistance using funds made available in this Act, each agency of the Federal or District of Columbia government shall provide to each recipient
of the assistance a notice describing the statement made in paragraph (1) by the Congress. 

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing an 'American Made' or '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, pursuant to the de- barment, suspension, and ineligibility procedures described in sections 9, 30, and 7 of title 41 of the United States Code.

SEC. 123. 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 make generally applicable any schedules I substance law, rule, or regulation to legalize or otherwise make generally applicable any schedules I substance.

(4) the audit includes as a basic financial statement a comparison of audited actual year-end revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the budget document for the year and its legislative history.

SEC. 124. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel from review plans and specifications of projects prior to construction, $148,304,000, to remain available until September 30, 2003, for energy and water development, and for other purposes, namely: 

(3) construction, $148,304,000, to remain available until September 30, 2003, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, and related purposes.

TITLE II

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river development, flood control, and related projects, resurvey of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and related facts for the District of Columbia, $146,304,000, to remain available until expended.
For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those designed to meet and comply with the requirements or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies, plans, and specifications shall not be committed to the Government to construction), $1,636,602,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction facilities provided by a State, municipality or other local government, or private group, authorized to fund the activities of the Office of the Chief of Engineers or the executive direction to be used for the construction and rehabilitation of inland waterways projects, including: lands provided for the Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 34, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and Lexington and Corinth Canal, West Virginia; and of which $500,000 may be available until expended for surveys and plans. Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the Dallas 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 Secretary 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 Report of the Chief of Engineers dated December 23, 1999: Provided further, That, of the funds provided herein, $3,000,000 shall be made available for the Galena Bank Stabilization Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed and authorized to use $5,000,000 of Construction, General, and Environment Stabilization funds for the relocation project and to establish an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, at an estimated total cost of $100,000,000, which shall be cost-shared in accordance with section 101 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 2213), except that the funds shall not become available unless the Secretary of the Army determines that an emergency (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) exists with respect to the emergency need for the outlet and reports to Congress that the construction is technically sound and environmentally acceptable, and in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That the justification for the emergency outlet shall be fully described, including the analysis of the economic and environmental impact of the proposal, in the project plan documents: Provided further, That the plans for the emergency outlet shall be reviewed and, to be effective, shall contain assurances from the Secretary of the Interior, that the project will not violate the Treaty Between the United States and Great Britain Relating to the Boundary Waters Between the United States and Canada, signed at Washington, January 11, 1909 (36 Stat. 2448; TS 544) (commonly known as the “Boundary Waters Treaty of 1909”): Provided further, That the Secretary of the Army shall submit the final plans and other documents for the emergency outlet to Congress: Provided further, That no funds made available under this Act or any other Act for any fiscal year may be used by the Secretary of the Army to carry out the portion of the feasibility study of the Devils Lake Basin, North Dakota, authorized under the Energy and Water Development Appropriations Act, 2004 (43 U.S.C. 377), that addresses the needs of the area for stabilized lake levels through inlet controls, or to otherwise study any facility or carry out any activity that transfers water from the Missouri River Basin into Devils Lake.

For expenses necessary for the prosecution of wind, flood control, storm, wave, and hurricane control, hurricane response, and emergency and coastal work, $20,227,000, to remain available until expended.

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and officers of the Division Engineers; activities of the Humphreys Engineers’ Center Support Activity, the Institute for Water Resources, and headquarters support functions at the USACE Finance Center, $155,651,000, to remain available until expended:

Provided, That no part of any other appropriation provided in title I of this Act shall be available for the establishment or construction of the Office of the Chief of Engineers or the executive direction of the administrative and management activities of the Division offices: Provided further, That none of these funds shall be available to support an Office of the Chief of Engineers in the Executive Office of the Chief of Engineers.

American and Sacramento Rivers, California, in or hereafter in this Act, or any other Act, or any other specific project authority, shall be limited to credits and reimbursements in excess of $50,000,000 in each fiscal year.

SEC. 105. ST. PAUL ISLAND HARBOR, ST. PAUL, ALASKA TECHNICAL CORRECTIONS. Section 101(b)(3) of Public Law 104–303 (the Water Resources Development Act of 1996), (110 Stat. 3667) is amended by—

(1) striking “$18,981,000” and inserting in lieu thereof “$52,300,000”; and

(2) striking “$12,600,000” and inserting in lieu thereof “$45,558,000”.

SEC. 106. ABJUQU DAM, NEW MEXICO. Section 1112 of Public Law 99–662 (the Water Resources Development Act of 1986), (100 Stat. 4232) is amended by striking “$2,700,000” and inserting in lieu thereof “$10,000,000”.

SEC. 107. The project for flood control, Las Vegas Wash and Tributaries (Flamingo and Tropicana Washes), Nevada, authorized by section 101(13) of Public Law 102–580 (106 Stat. 4803) is authorized to include as part of the project channel crossings that are necessary for those existing and proposed highways and roads shown on the Clark County Comprehensive Plan Transportation Element, approved by the Clark County Board of County Commissioners on October 1, 1996. The performance of work required for construction of such channel crossings shall be performed in accordance with such work shall be considered part of the non-Federal sponsor’s responsibility to provide lands, easements, and rights-of-way, and to perform relocation and replacement expenses. Costs incurred in performing such work may not exceed $16,000,000.

SEC. 108. The Secretary of the Army may expend funds under normal competitive procedures for necessary maintenance of the dredge McFarland. The Secretary shall not obligate any funds to place the dredge in ready reserve status.

SEC. 109. ATLANTIC INTRACOASTAL WATERWAY BRIDGE REPLACEMENT AT GREAT BRIDGE, CHESSAPEAKE BAY, VIRGINIA. The project for the replacement of the bridge at Great Bridge, Chesapeake, Virginia, authorized by Section 339(b) of Public Law 104–59 is modified to authorize the Secretary to construct the project at an estimated cost of $46,000,000.

SEC. 110. None of the funds appropriated hereinafter in this Act, or any other Act, shall be used to study or implement any plans privatizing, divesting or transferring of any Civil Works missions, functions, or responsibilities for the U.S. Army Corps of Engineers to other parties without specific direction in a subsequent Act of Congress.

SEC. 111. The project for flood control for the American and Sacramento Rivers, California, authorized by Section 101(a)(1) of the Water Resources Development Act of 1996 (Public Law 104–303) and Section 366 of the Water Resources Development Act of 1999, is modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct the project at a total cost of $265,000,000, with an estimated Federal share of $156,000,000 and an estimated non-Federal share of $119,000,000. For purposes of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), the modifications to Section 101(a)(1) shall be subject to the same cost sharing in effect for the project authorized by 101(a)(1) of the Water Resources Development Act of 1996.

SEC. 112. The project for flood control for Terminus Dam, Kaweah River, California, authorized by Section 101(b)(5) of the Water Resources Development Act of 1996, is modified to authorize the Secretary to construct the project at a total cost of $50,000,000, with an estimated Federal share of $28,600,000 and an estimated non-Federal share of $21,400,000.

TITLE II
DEPARTMENT OF THE INTERIOR
CENTRAL UTILITY PROJECT
CENTRAL UTILITY PROJECT COMPLETION ACCOUNT
For carrying out activities authorized by the Central Utility Projects Act of 1995, Public Law 104–303, and any other specific project authority, such as may be carried out in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3406(c)(2); 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended.

BUREAU OF RECLAMATION
The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES
(INCLUDING TRANSFER OF FUNDS)
For management, development, and restoration of water and related resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $156,147,000, to remain available until expended, of which $36,400,000 shall be available for transfer to the Upper Colorado River Basin Fund and $34,327,000 shall be available for transfer to the Lower Colorado River and related Federal responsibilities to Native Americans, $156,147,000, to remain available until expended, of which $36,400,000 shall be available for transfer to the Upper Colorado River Basin Fund and $34,327,000 shall be available for transfer to the Lower Colorado River and related Federal responsibilities to Native Americans, (1) striking “$18,981,000” and inserting in lieu thereof “$52,300,000”; and

(2) striking “$12,600,000” and inserting in lieu thereof “$45,558,000”.

SEC. 1112. The project for flood control for Terminus Dam, Kaweah River, California, authorized by Section 101(b)(5) of the Water Resources Development Act of 1996, is modified to authorize the Secretary to construct the project at a total cost of $50,000,000, with an estimated Federal share of $28,600,000 and an estimated non-Federal share of $21,400,000.

SEC. 1112. The project for flood control for Terminus Dam, Kaweah River, California, authorized by Section 101(b)(5) of the Water Resources Development Act of 1996, is modified to authorize the Secretary to construct the project at a total cost of $50,000,000, with an estimated Federal share of $28,600,000 and an estimated non-Federal share of $21,400,000.

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The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES
(INCLUDING TRANSFER OF FUNDS)
For management, development, and restoration of water and related resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $156,147,000, to remain available until expended, of which $36,400,000 shall be available for transfer to the Upper Colorado River Basin Fund and $34,327,000 shall be available for transfer to the Lower Colorado River and related Federal responsibilities to Native Americans, (1) striking “$18,981,000” and inserting in lieu thereof “$52,300,000”; and

(2) striking “$12,600,000” and inserting in lieu thereof “$45,558,000”.

SEC. 1112. The project for flood control for Terminus Dam, Kaweah River, California, authorized by Section 101(b)(5) of the Water Resources Development Act of 1996, is modified to authorize the Secretary to construct the project at a total cost of $50,000,000, with an estimated Federal share of $28,600,000 and an estimated non-Federal share of $21,400,000.

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BUREAU OF RECLAMATION
The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES
(INCLUDING TRANSFER OF FUNDS)
For management, development, and restoration of water and related resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $156,147,000, to remain available until expended, of which $36,400,000 shall be available for transfer to the Upper Colorado River Basin Fund and $34,327,000 shall be available for transfer to the Lower Colorado River and related Federal responsibilities to Native Americans, (1) striking “$18,981,000” and inserting in lieu thereof “$52,300,000”; and

(2) striking “$12,600,000” and inserting in lieu thereof “$45,558,000”.

SEC. 1112. The project for flood control for Terminus Dam, Kaweah River, California, authorized by Section 101(b)(5) of the Water Resources Development Act of 1996, is modified to authorize the Secretary to construct the project at a total cost of $50,000,000, with an estimated Federal share of $28,600,000 and an estimated non-Federal share of $21,400,000.

SEC. 1112. The project for flood control for Terminus Dam, Kaweah River, California, authorized by Section 101(b)(5) of the Water Resources Development Act of 1996, is modified to authorize the Secretary to construct the project at a total cost of $50,000,000, with an estimated Federal share of $28,600,000 and an estimated non-Federal share of $21,400,000.
of work is at least 40 percent for the planning, engineering and design work conducted by the Bureau of Reclamation.

SEC. 205. NORTH CENTRAL MONTANA RURAL WATER SUPPLY SYSTEM.—None of the funds appropriated by this Act may be used to provide, by the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for energy supply, and ura.

SEC. 206. Section 8 of Public Law 104–298 (the Water Desalination Act of 1996), (110 Stat. 3624) is amended further by

(1) in paragraph (a) by striking “2002” and inserting in lieu thereof “2004”; and

(2) in paragraph (b) by striking “2002” and inserting in lieu thereof “2004”.

SEC. 207. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San 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 as approved by the Administrator of the Environmental Protection Agency.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Programs—Alternative Reimbursement Plan” and the “SYSDIV Reimbursement Agreement” described in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 2000.” The Secretary of the Interior, Bureau of Reclamation.

Section 208. HERRING CREEK-TALL TIMBERS, MARYLAND. (a) IN GENERAL.—Using funds made available by this Act, the Secretary of the Army, acting through the Chief of Engineers, may provide immediate corrective maintenance to the project at Herring Creek-Tall Timbers, Maryland, at full Federal expense.

(b) CORRECTIVE MAINTENANCE.—(1) The corrective maintenance described in subsection (a), and any other maintenance performed after the date of enactment of this Act with respect to the project described in that subsection, shall include repair or replacement, as appropriate, of the foundation and structures adjacent and structurally integral to the project.

(c) NORTH LAS VEGAS WATER REUSE PROJECT.—

(1) AUTHORIZATION.—The Secretary of the Interior, in cooperation with the appropriate local authorities, may provide, in the design, planning, and construction of the North Las Vegas Water Reuse Project (hereinafter referred to as the “Project”) to reclaim and reuse water in the service area of the Las Vegas Valley Division Service Area of the city North Las Vegas and county of Clark, Nevada.

(2) FUNDING.—The Federal share of the cost of the Project shall not exceed 25 percent of the total cost.

(3) LIMITATION.—Funds provided by the Secretary shall not be used for the operation or maintenance of the Project.

(4) FUNDING.—Funds appropriated pursuant to section 1631 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–13) may be used for the Project.

(5) RECLAMATION WATER AND GROUNDWATER STUDY AND FACILITIES ACT.—Design, planning, and construction of the Project authorized by this Act shall be in accordance with, and subject to the limitations contained in, the Reclamation Wastewater and Groundwater Study and Facilities Act (106 Stat. 4663–4669, 43 U.S.C. 390h et seq.), as amended.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and ura.

For necessary expenses to maintain, decontaminate, decommission, and otherwise remov.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

Remediation expenses necessary for atomic energy de.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as the Nuclear Waste Policy Act of 1982 designed to ensure the disposition of real property or facility construction or expansion, non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility construction, or expansion, $176,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $176,000,000, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science 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 construction or expansion, $176,000,000, to remain available until expended.

Nucl.

NUCLEAR WASTE PORIZATION

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as the Nuclear Waste Policy Act of 1982 designed to ensure the disposition of real property or facility construction or expansion, $176,000,000, to remain available until expended.

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $3,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL SECURITY NUCLEAR Safeguards Administration

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense related 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; and the purchase of passenger motor vehicles (not to exceed one for replacement only), $116,000,000, to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of...
plant and capital equipment and other incidental expenses necessary for atomic energy defense, Defense Nuclear Nonproliferation 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 for or plant or facility acquisition, construction, or expansion, $115,630,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $12,000), $355,929,000, to remain available until expended.

DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of 24 passenger motor vehicles for replacement only, $706,790,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses for the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,123,314,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization purposes for atomic energy defense, defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $158,399,000, 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 expenses necessary for atomic energy defense, 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, $537,664,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

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

POWER MARKETING ADMINISTRATION

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.

For the purposes of providing funds to assist in financing the construction, acquisition, and replacement of the transmission system of the Bonneville Power Administration and to implement the authority of the Administrator under the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.), an additional $700,000,000 in borrowing authority is authorized for the construction of the Columbia River Transmission System Act (16 U.S.C. 838 et seq.), to remain outstanding at any time: Provided, That the Bonneville Power Administration shall not, in any fiscal year, borrow more than $5,000,000 of its permanent borrowing authority in fiscal year 2003.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $4,534,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, up to $14,463,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover 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.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and operation of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $16,655,000 in reimbursements, to remain available until expended: Provided, That up to $1,917,000 shall be transferred to the Federal Energy Regulatory Commission to carry 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, $27,378,000, to remain available until expended: in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $16,655,000 in reimbursements, to remain available until expended; Provided, That the sum hereinafter appropriated for construction and expansion of the transmission system of the Federal Energy Regulatory Commission to carry out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, to remain available until expended.

SEC. 302. (a) None of the funds appropriated by this Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy, in his discretion and as a condition of the grant, may award a noncompetitive contract as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $92,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2003 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum hereinafter appropriated for purchase power and wheeling expenditures 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 $192,000,000.

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy, in his discretion and as a condition of the grant, may award a noncompetitive contract as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $92,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2003 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum hereinafter appropriated for purchase power and wheeling expenditures 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 $192,000,000.

SEC. 302. None of the funds appropriated by this Act may be used to develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other related expenses for employees of the Department of Energy, under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 274h), or

(3) develop or implement a workforce restructuring plan that covers employees of the Department of Energy, under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2464; 42 U.S.C. 274h), or

(4) provide enhanced severance payments or other related expenses for employees of the Department of Energy, under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 274h), or

(5) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

provided for in the interim appropriation as approved by the appropriate Congressional committees.

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, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.
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SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Re- quests For Proposals (RFPs) for a program if the program has not been funded by Congress.

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.

SEC. 306. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains containments centers in excess of permitted weight by the aggregate of any material categories on the date of enactment of this Act, or is generated after 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 repack- age residues; and (5) scrub algal as referenced in the “Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Algal Stored at the Rocky Flats Environmental Technology Site.”

SEC. 307. The Administrator of the National Nuclear Security Administration may authorize the placement of covered nuclear weapons production plants to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and en- hance 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 for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term “covered nuclear weap- ons production plant” means the following:

(1) The Kansas City Plant, Kansas City, Mis- souri.

(2) The Y–12 Plant, Oak Ridge, Tennessee.

(3) The Pantex Plant, Amarillo, Texas.

(4) The Savannah River Plant, South Caro- lina.

SEC. 308. The Administrator of the National Nuclear Security Administration may authorize the manager of the Nevada Operations Office to engage in research, development, and demon- stration activities with respect to the develop- ment, test, and evaluation capabilities necessary for operations and readiness of the Nevada Test Site: Provided, That for purposes of this Act, the amount available to the Nevada Operations Office each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs at the Nevada Test Site, not more than an amount equal to 2 percent of such amount may be used for these activities.

SEC. 309. Funds appropriated in Public Law 107–42 for the three-day bomb dumping sub- project may be available to reimburse the local sponsor for the federal share of the project costs assumed by the local sponsor prior to final pas- sage of the Act.

SEC. 310. STAY AND REINSTATEMENT OF FERC LICENSE No. 11393. (a) Upon the request of the licensee for FERC Project No. 11393 and notwithstanding the time period specified in section 13 of the Federal Power Act for the commencement of construc- tion, the Federal Energy Regulatory Com- mission may stay the issuance of the license and in accordance with the good faith, due diligence, and public interest requirements of that section, extend the time period during which the licensee must commence construc- tion of the project for not more than one 2- year time period.

(b) SEC. 311. The Federal Energy Regulatory Commission shall issue an order lifting the stay if (a) the licensee has not commenced construction of the project within the time period specified in section 13 of the Federal Power Act for the commencement of construction; or (b) the licensee has commenced construction of the project, but in that event the licensee has not completed the construction of the project within the time period specified in section 13 of the Federal Power Act for the commencement of construction.

(c) Upon request of the licensee for FERC Project No. 11393 and notwithstanding the time period specified in section 13 of the Federal Power Act for the commencement of construc- tion, the Federal Energy Regulatory Com- mission shall issue an order lifting the stay if (a) the licensee has not commenced construction of the project within the time period specified in section 13 of the Federal Power Act for the commencement of construction; or (b) the licensee has commenced construction of the project, but in that event the licensee has not completed the construction of the project within the time period specified in section 13 of the Federal Power Act for the commencement of construction.

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CONGRESSIONAL RECORD — SENATE

January 28, 2003

SEC. 312. GAO STUDY ON SUBTITLE D OF THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT. (a) STUDY.—The General Accounting Office (in- troduced to as the “GAO”) shall conduct a study on the effectiveness of the benefit program under subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385o) in assisting the Depart- ment of Energy (in this section referred to as the “DOE”) contractor employees in obtaining com- pensation for occupational illness.

(b) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the GAO shall submit a report to the Senate Energy and Natural Resources Committee and the House of Representatives Energy and Commerce Committee on the results of the study conducted under subsection (a).

SEC. 313. GAO STUDY OF CLEANUP AT THE PADOUCAH GASEOUS DIFFUSION PLANT IN PADUCAH, KENTUCKY. (a) STUDY.—The General Accounting Office (in- troduced to as the “GAO”) shall conduct a study of the cleanup progress at the Paducah Gaseous Diffusion Plant in Paducah, Kentucky.

(b) REPORT TO CONGRESS.—Not later than six months after the date of enactment of this Act, the GAO shall submit a report to the Senate En- ergy and Natural Resources Committee and the House of Representatives Energy and Commerce Committee on the results of the study conducted under subsection (a).

SEC. 314. None of the funds appropriated by this Act or any other Act may be used to defer, defurb, withdraw to headquarters, reserve for contemplative future rescissions, or otherwise adversely affect the planned and continuing ex- penditures for ongoing facilities authorized for Cerro Grande Fire Activities in Public Law 106– 246 and Public Law 106-377.

SEC. 315. In carrying out any other provision of law, the National Nuclear Security Adminis- tration is prohibited from taking any actions ad- versely affecting employment at its Nevada Op- erations Office for a period of not less than 365 days.

SEC. 316. The Secretary of the Interior, and the heads of other participating Federal agen- cies, shall, in consultation with the CALFED Bay-Delta Authority established by the California Bay- Delta Act (2002 Cal. Stat. Chap. 812), to the ex- tent not inconsistent with other law. The Sec- retary of the Interior, in consultation with the CALFED Authority, may undertake feasibility studies for Suisun Reservoir, Las Vuqueros Enlargement, In- Delta Storage, and Upper San Joaquin Storage projects. These storage studies should be pur- sued along with on-going environmental and other projects in a balanced manner.

TITLE V

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the pro- grams authorized by the Appalachian Regional Development Act of 1965, as amended, with- standing section 405 of said Act and for nec- essary expenses for the Chairperson and the alternate on the Appalachian Regional Com- mission, for payment of the Federal share of the administrative expenses of the Commission, including necessary expenses of the Director and the Alternate, $5,310,000, 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 1946, as amended by Public Law 100-411, section 9301, $19,900,000, to remain available until expended.

DENALI COMMISSION

SALARIES AND EXPENSES

For expenses of the Denali Commission in- cluding the purchase, construction and acquisi- tion of plant and capital equipment as neces- sary and other expenses, $50,000,000, to be available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorga- nization Act of 1974, as amended, and the At- omic Energy Act of 1946, as amended, including of- ficial representation expenses (not to exceed $15,000), and purchase of promotional items for use in the recruitment of individuals for employment, $57,184,000, to remain available until expended: Provided, That of the amount appropri- ated herein, $4,900,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $529,000 for 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: Pro- vided further, That the sum herein appropriated shall be reduced by the amount of revenues re- ceived during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at not more than $58,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of In- spector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $10,874,000, to be available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,392,000 in fiscal year 2003 shall be retained and used 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 re- ceived during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at not more than $400,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Review Board, as authorized by Public Law 100–203, section 5061, $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, 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 193 of title 18, United States Code.

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

(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 extent practicable, shall provide to such entity notice describing the statement made in subsection (a) by the Congress.

(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 labeled a product as “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, such agency shall be authorized to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and debarment proceedings described in sections 9.409 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. Section 309 of Title III—Denali Commission of Division C—Other Matters of Public Law 104–208 shall remain in effect through 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 fiscal year ending September 30, 2003, and for other purposes:

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance 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 may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds made available during the current fiscal year may be used to make expenditures or commitments, or for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act; Provided further, That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through September 30, 2003.

OVERSEAS PRIVATE INVESTMENT CORPORATION 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, which includes official reception and representation expenses which shall not exceed $35,000 shall not exceed $39,885,000: Provided further, That project-specific transaction costs for direct costs of funds insurec in claims settlements, and other direct costs associated with services provided to specific borrowers or potential investors pursuant to division of chapters 2 and 10 of title 22 of United States Code, as added by section 502 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $24,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation: 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 amounts may be used in the disbursement of direct and guaranteed loans obligated in fiscal year 2003 and through fiscal year 2004: Provided further, That such amounts may be used for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.
shall be apportioned to the United States Agency for International Development, and the authority of sections 632(a) or 632(b) of the Foreign Assistance Act of 1961, or any comparable provision of any appropriations act used to transfer or make available any part of such funds to the Department of Health and Human Services including any office of that agency, except that the authority of those sections shall be used only to transfer or make available up to $25,000,000 of such funds to the Centers for Disease Control and Prevention: Provided further, That none of the funds made available under this Act shall be used to offer or provide any emergency contraception for any individual who has not given express consent and that such services are rendered by or under the exclusive supervision of a duly licensed practitioner, and such services shall not be provided at any entity that is an abortion provider or enters into an agreement to provide abortion services: Provided further, That not less than $2,300,000 shall be made available for the Center for International Development: Provided further, That the funds appropriated by this Act that are made available for assistance for agriculture and rural development programs, $300,000,000 shall be made available for plant biotechnology research and development: Provided further, That of the aggregate amount of the funds appropriated by this Act that are made available for agriculture and rural development programs, $300,000,000 shall be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated by this Act, $450,000,000 shall 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 available for programs to provide alternative livelihoods for Vietnamese coffee growers.

**INTERNATIONAL DISASTER ASSISTANCE**

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $230,000,000, to remain available until expended: Provided, That any funds made available from amounts appropriated under this heading pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $55,000,000, to remain available until expended: Provided, That these 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, and support democratic reforms, and assistance for victims of war and displaced persons.

**TRANSITION INITIATIVES**

For necessary expenses for international transition and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $60,000,000 to remain available until expended: Provided, That these funds shall be used for micro and small enterprise programs, urban programs, and other programs which further the purpose of that Act: Provided further, That funds made available pursuant to the previous proviso, not less than $4,000,000 shall be made available for urban programs: Provided further, That such funds shall be used for micro and small enterprise programs, urban programs, and other programs which further the purposes of title II of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1406 as reported by the House Committee on International Development.

**CONGRESSIONAL RECORD — SENATE**

January 28, 2003
Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading. In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $7,591,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: Provided further, That funds made available under this heading shall remain available until September 30, 2007.

PAYMENT TO FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the “Foreign Service Retirement and Disability Fund”, as authorized by the Foreign Service Act of 1980, $45,200,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, $571,687,000: Provided, That none of the funds appropriated under this heading may be made available to finance the construction (including architect and engineering services), purchase, or 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 lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the provisions of this paragraph shall not apply to not less than $1,000,000 of the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed $1,000,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667, $33,046,000, to remain available until September 30, 2004, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BUDGETAL ECONOMIC ASSISTANCE ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of section 4 of part II, $2,260,000,000, to remain available until September 30, 2004: Provided, That none of the funds appropriated under this heading, not less than $615,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be available to Israel only for the construction of temporary, secure facilities for United States Agency for International Development personnel: Provided further, That the funds appropriated under this heading are in addition to funds otherwise available for such purposes.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $530,000,000, to remain available until September 30, 2004, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been designated for assistance for countries under international control, for the purposes of this Act, shall be available to support the disbursement of such funds for countries where substantial economic aid is needed, in order to prevent the return of former borders or to support the disbursement of funds to countries in transition for the implementation of membership in international organizations.

Provided further, That of the funds appropriated under this heading, not less than $5,500,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $3,500,000 shall be made available for assistance for countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $10,000,000 shall be made available for programs to support the disbursement of such funds for countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $50,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $15,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $200,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $500,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $1,000,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $2,000,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $3,000,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.

Provided further, That of the funds appropriated under this heading, not less than $4,000,000,000 shall be made available for the provision of international humanitarian assistance to countries in transition, including emergency relief, agricultural and food assistance, and medical supplies and equipment, in order to support the disbursement of such funds for countries where substantial economic aid is needed.
such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States or to another appropriation for the use of the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and approved activities.

(c) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(d) With regard to funds appropriated under this heading for economic revitalization programs in Bosnia and Herzegovina, and local currencies generated by such funds (including the conversion of funds appropriated under this heading into currency used by Bosnia and Herzegovina as local currency and local currency returned or repaid under such program) the Administrator of the United States Agency for International Development shall provide written approval for grants and loans prior to the obligation and expenditure of funds for such purposes, and prior to the use of funds that have been returned or repaid to any lending facility or grantee.

(e) The provisions of section 528 of this Act shall apply to funds made available under subsection (b) of this heading: Provided, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 528 of this Act, local currencies generated by, or converted from, funds appropriated under this Act and by previous appropriations Acts and made available for the economic revitalization programs in Bosnia and Herzegovina may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European and Baltic Countries Act of 1990.

(f) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex V of the Framework for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that that country is not progressing in training, reintegration, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters II and 12 of part I of the Foreign Assistance Act of 1961 and the FREE- DOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $785,000,000, to remain available until September 30, 2004: Provided further, That of the funds made available under this heading for economic revitalization programs in the former Soviet Union and its successor States, $1,200,000,000, shall be made available subject to the provisions of section 807 of the FREEDOM Support Act (Public Law 102–511) shall be subject to the ceiling on administrative expenses contained in section 807(a)(5) of the FREEDOM Support Act.

(b) Of the funds appropriated under this heading that are made available for assistance for Ukraine, not less than $30,000,000 shall be made available for nuclear reactor safety initiatives. of the funds 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, $87,000,000 shall be made available for assistance for Georgia.

(e)(1) Of the funds appropriated under this heading that are made available for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies 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 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-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1)(A) shall apply—

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

(B) activities supported under title V (Non-proliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(f) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–180 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(3) any activity carried out by a member of the United States and Foreign Commercial Service, acting within his or her official capacity; and

(4) any assistance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 217 et seq.), may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its provisions in this subsection regarding the apportionment of section 528 of this Act.

(g) Of the funds made available for assistance to Croatia, not less than $15,000,000 shall be made available for activities under title V (Other Programs and Activities) of the FREEDOM Support Act.

(h) The President is authorized to withhold funds appropriated under this heading, not less than $22,500,000 shall be withheld from obligation until the President determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex V of the Framework for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that that country is not progressing in training, reintegration, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 401 of the Foreign Assistance Act of 1961, $196,713,000, to remain available until expended:

(1) That any funds made available under this heading for anti-crime programs and activities shall be made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the funds appropriated under this heading shall not be made available for fraudulent practices: Provided further, That of the funds appropriated under this heading, not more than $24,300,000 may be available for administrative expenses.

For necessary expenses to carry out section 401 of the Foreign Assistance Act of 1961 solely to support counterdrug activities in the Andean region of South America, $650,000,000, to remain available until expended: Provided, That in addition to the funds appropriated under this heading and subject to the regular notification procedures of the Committees on Appropriations, the President may make available up to an additional $35,000,000 for the Andean Counterdrug Initiative, which may be derived from funds appropriated under other provisions of law:

INTER-AMERICAN FOUNDATION

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1961, $16,385,000, to remain available until expended:

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1989, Public Law 96–532, $17,689,000, to remain available until September 30, 2004: Provided, That funds made available to grantees may be invested pending expenditure for project purposes, when authorized by the board of directors of the Foundation: Provided further, That interest earned shall be used only for the purposes for which the grant was made; Provided further, That interest earned applies to funds made available on or after January 16, 2004, and other assistance for the human rights unit of the Procugador General: Provided further, That funds appropriated by this Act that are used for the procurement of chemicals, equipment or services for aerial cocoa and poppy jimmage programs may be made available for such...
programs only if the Secretary of State and the Administrator of the Environmental Protection Agency (EPA) certify to the Committees on Appropriations that (1) an environmental impact statement has been completed in accordance with section 3109 of title 5, United States Code; (2) the herbicide mixture is being used in accordance with a label required for comparable use in the United States and any additional controls recommended by the EPA for this program, and with Colombian laws including the Management of Colombia's national parks and reserves: Provided further, that the Secretary of State certifies that effective procedures are being utilized to evaluate claims of local citizens that their health was harmed or their licit agricultural crops were damaged by such aerial spray or poppy fumigation, and to provide fair compensation for meritorious claims; and such funds may not be available for such purposes unless programs are being implemented by the United States Agency for International Development in consultation with local communities, to provide alternative sources of income in areas where security permits small- acreage growers whose illicit cultivation of coca, poppy, or marijuana is being targeted for fumigation or eradication. Provided further, that section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, that the assistance provided with funds appropriated under this heading, that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961, as amended, shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, that the provisions of section 2304(b) through (h) of Public Law 96–252, as amended by Public Law 111–139, shall be applicable to funds appropriated for fiscal year 2003: Provided further, that no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: Provided further, that funds made available under this heading shall be used to support the Small Arms Demining and Clearance Program and the Mine Action Program, and such funds may remain available until expended: Provided further, that the amount of $3,900,000 shall be made available for training for Guatemala may only be available to the extent that the Government of Guatemala certifies to the Secretary of State that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Guatemala: Provided further, that the amount of $3,500,000 shall be made available for training for Colombia may only be available to the extent that the Government of Colombia certifies to the Secretary of State that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $4,200,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $3,700,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $2,000,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $1,800,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $700,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $1,500,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $750,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $500,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $300,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amount of $50,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia: Provided further, that the amounts of $200,000 shall be made available for training for Colombia may only be available to the extent that the President certifies to the Congress that the training provided is solely for the purpose of demining and related programs and activities, and the President reports to the Congress that the training provided will not be utilized in such a manner as to support any military function of the Government of Colombia:

MIGRATION AND REFUGEE ASSISTANCE

For expenses necessary to carry out the provisions of section 212 of the Foreign Assistance Act of 1961 (relating to international affairs technical assistance activities), $10,500,000, to remain available until expended, which shall be available notwithstanding any other provision of law.
$3,000,000 shall be made available for assistance for Armenia: Provided further, That except as provided in the following proviso, none of the funds appropriated by this paragraph shall be made available for military construction and equipment or for Overseas Contingency Operations and the Africa Crisis Response Initiative: Provided further, That of the funds appropriated under this heading, not less than $50,000,000 shall be available for unification of the United Nations 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.

TITLE IV—MULTILATERAL ECONOMIC INSTITUTIONS

Funds Appropriated to the President International Financial Institutions

For the United States contribution for the Global Environment Facility, $177,812,533, to the International Development Association 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, $177,812,533, to remain available until expended: Provided, That in negotiating United States participation in the replenishment of the International Development Association, the Secretary of the Treasury shall accord 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

The United States Governor of the Multilateral Investment Guarantee Agency may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $12,825,000.

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

For payment to the Inter-American Investment Corporation, for the United States contribution to the Inter-American Investment Fund, $18,351,667, for the United States share of the increase in subscriptions to capital stock, to remain available until expended.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, $29,590,667, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury for the purpose of increasing the resources of the Asian Development Fund, Act of 1961, $215,000,000: Provided, That none of the funds made available under this heading shall be available for the United Nations Population Fund: Provided further, That none of the funds made available under this heading shall be made available to the European Bank for Reconstruction and Development or the International Atomic Energy Agency: Provided further, That of the funds appropriated under this heading, not more than $1,000,000 shall be made available for the United Nations Population Fund: Provided further, That funds appropriated under this heading shall be available for the United Nations Environment Program: Provided further, That none of the funds made available under this heading shall be made available to, or for use on behalf of, the Global Environment Facility.

LIMITATION ON CALLABLE CAPITAL

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $35,000,000.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury for the increase in resources of the African Development Fund, $108,973,332, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury for the purposes of the International Fund for Agricultural Development, $15,003,667, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and the sections of the United Nations Environment Program Participation Act of 1973, $215,000,000: Provided, That none of the funds appropriated under this heading shall be made available for the United Nations Population Fund if the President determines that UNFPA no longer supports or participates in the practice of female genital mutilation 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 for the UNFPA if the President determines that the UNFPA no longer supports or participates in the practice of female genital mutilation or involuntary sterilization: Provided further, That none of the funds 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, $2,000,000 for International Conventions to Combat Illegal Traffic in Narcotic Drugs and Precursor Chemicals, $20,000,000 for the World Food Program, $2,000,000 for International Organizations and Programs: Provided further, That the funds appropriated under this heading shall not be made available for any United Nations contribution to the United Nations Specialized Agencies or to other United Nations bodies, unless the United States Governor of the United Nations Foundation, or any one or more of the United Nations agencies, or any one or more of the United Nations specialized agencies, has been made a member of the ICJ prior to June 1, 2003.
PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for “Nonproliferation, Anti-terrorism, Demining and Related Programs” for carrying out the Foreign Assistance Act of 1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or other similar commodity.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise 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 prohibitions contained in section 7036 of the Foreign Assistance Act of 1961 shall be applicable.

LIMITATION ON EXPENSES

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to any country whose duly elected head of government is deposed by decree or military coup: Provided, That such assistance may be resumed to such government if the President determines that the assistance will contribute to the termination of the regime that subverted the elections to a democratically elected government: Provided further, That such assistance or financing shall be subject to the normal notification procedures of the Committees on Appropriations.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

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 provided for in this Act.

TRANSFER BETWEEN ACCOUNTS

SEC. 510. Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year for which funds are otherwise available and, if not obligated, directly any assistance or financing under this Act may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or other similar commodity.

CODIFICATION

SEC. 511. No part of any appropriation contained in this Act shall be available for an additional four years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment of the United States principal or interest on any loan made to the government of such country by the United States pursuant to an assistance program for which funds are appropriated under this Act unless the Secretary of State determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance, except for transfers specifically provided for in this Act, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or other similar commodity.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

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 Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, and the African Development Fund to use the voice and vote of the United States to...
oppose any assistance by 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 the determination of the Committee on Appropriations that such production or extraction will cause substantial injury to United States producers of the same, similar, or competing commodity.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 517. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union unless:

1. unless that government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for contracts, and equitable treatment of foreign private investment; and

2. if that government applies or transfers United States military equipment under comparable headings in prior appropriations Acts, for projects or activities that have as their primary purpose the fostering of private sector development, the Coordinator for International Narcotics Control and Law Enforcement, in consultation with the Committees on Appropriations, may be authorized to make available for a government of an Independent State of the former Soviet Union, such funds as remain from the appropriated amounts, for the purpose of expediting or facilitating such activities. Assistance may be furnished without regard to any such Federal law or regulation that would otherwise apply.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if (1) the President determines that to do so is in the national interest.

(c) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" may be made available for assistance for a government of an Independent State of the former Soviet Union if:

1. the President determines that to do so is in the national interest of the United States;

2. the President determines that the assistance is necessary to enhance its military capability; or

3. the President determines that the assistance is necessary to the national security interest of the United States.

(d) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(f) Funds appropriated in this or prior appropriation Acts may be made available for an Enterprise Fund in the Independent States of the former Soviet Union to the extent justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days after enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CIVILIAN AND MILITARY TRAINING

SEC. 518. Not to exceed 5 percent of any appropriation made available under this Act for assistance under the heading "Child Survival and Health Programs" may be used for training of non-military personnel. Provided further, that Funds appropriated under this Act that are made available for child survival activities or health programs including activities relating to research on, and the prevention, treatment, and control of such diseases may be used for training of non-military personnel.

SEC. 519. None of the funds appropriated by this Act shall be obligated or expended for any of the purposes, programs, and activities for which appropriations under this Act may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfers provided. That such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SEC. 520. For the purpose of this Act, "project, program, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund, Defense Export Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within such authorization or appropriation, as well as assistance accounts of the United States Agency for International Development program, project, and activity" shall be also considered to include country, regional, and central program level funding within such authorization or appropriation.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 517. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union unless:

1. unless that government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for contracts, and equitable treatment of foreign private investment; and

2. if that government applies or transfers United States military equipment under comparable headings in prior appropriations Acts, for projects or activities that have as their primary purpose the fostering of private sector development, the Coordinator for International Narcotics Control and Law Enforcement, in consultation with the Committees on Appropriations, may be authorized to make available for a government of an Independent State of the former Soviet Union, such funds as remain from the appropriated amounts, for the purpose of expediting or facilitating such activities. Assistance may be furnished without regard to any such Federal law or regulation that would otherwise apply.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if (1) the President determines that to do so is in the national interest.

(c) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" may be made available for assistance for a government of an Independent State of the former Soviet Union if:

1. the President determines that to do so is in the national interest of the United States;

2. the President determines that the assistance is necessary to enhance its military capability; or

3. the President determines that the assistance is necessary to the national security interest of the United States.

(d) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(f) Funds appropriated in this or prior appropriation Acts may be made available for an Enterprise Fund in the Independent States of the former Soviet Union to the extent justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days after enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.
shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 38 of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of any other similar provision of law, that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

AUTHORIZATION REQUIREMENT


DEMOCRACY PROGRAMS

SEC. 524. (a) Notwithstanding any other provision of law, the funds appropriated by this Act to carry out the provisions of chapters 4 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, or less than $25,000,000 shall be made available for assistance for activities to support democracy, human rights, and the rule of law in the People’s Republic of China, the Hong Kong Special Administrative Region of China, and the Province of Tibet, of which not less than $15,000,000 shall be made available for the Human Rights and Democracy Fund of the United States Agency for International Development and the United States Agency for International Development, Human Rights and Labor, Department of State, for such activities in the People’s Republic of China: Provided, That not to exceed $3,000,000 may be made available to nongovernmental organizations, including those which promote cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in Tibetan autonomous areas, including the areas designated as the “Tibetan Autonomous Region”: Provided further, That funds appropriated under the heading “Economic Support Fund” shall be made available for assistance for Taiwan for the purposes of furthering political and legal reforms: Provided further, That such funds shall only be made available to nongovernmental organizations which are dedicated to the promotion of democracy, human rights, civic education, women’s development, press freedoms, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided, That funds made available pursuant to the authority of this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) In addition to the funds made available in subsection (a), of the funds appropriated by this Act under the heading “Economic Support Fund” not to exceed $3,000,000 shall be made available for programs and activities to foster democracy, human rights, civic education, women’s development, press freedoms, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided, That funds made available pursuant to the authority of this subsection shall support new initiatives or bolster ongoing programs and activities in those countries: Provided further, That funds not less than $3,000,000 shall be made available for programs and activities that provide professional training for journalists: Provided further, That notwithstanding any other provision of law, funds made available pursuant to the authority of this subsection may be made available to support the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, and not to exceed $3,000,000 may be made available notwithstanding provisions of law, funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) Funds made available under this section that are made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, are in addition to the $12,000,000 requested by the President for the Fund for fiscal year 2000.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 525. (a) Funds appropriated for bilateral assistance under any heading of this Act 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 the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed acts of international terrorism;

(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 the national security or humanitarian reasons justify such waiver. At least 15 days before the waiver takes effect, the President shall notify the Committees on Appropriations and the Committees on Foreign Relations and the Senate Committee of Committees on Appropriations with the justification for the waiver in accordance with the regular notification procedures of the Committees on Appropriations.

SEC. 526. Assistance provided to foreign governments that export lethal military equipment to a country shall not be made available to any foreign government which provides lethal military equipment to a country the government of which has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act. The prohibition under this section applies with respect to lethal military equipment provided to a foreign government which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act. The prohibition under this section applies with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished by any of the heads of agencies which determine that the furnishing such assistance is important to 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 including an explanation of the justification for the waiver, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

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 of the United States Agency for International Development may make decisions it is consistent with United States obligations under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

APPENDIX

APPENDIX A—SEPARATE ACCOUNTS FOR LOCAL CURRENCIES

SEC. 528. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of which the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(b) enter into an agreement with that government whereby—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(c) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) PURPOSES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent arrangement under this section, may—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursements pursuant to subsection (a)(2) 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 I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which are in a separate account established pursuant to subsection (a)(1) shall be disposed of for such purposes as may be agreed upon with 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 to the House and Senate Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government authorized in subsection (a)(2), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purposes in each applicable 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 I 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 maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended in accordance with any law which is consistent with the nature of the assistance including provisions which are referenced in the Joint Explanatory Statement of the Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) APPROPRIATION AND AUTHORIZATION.—Such funds shall be authorized and appropriated under chapter 4 of part II of the Foreign Assistance Act of 1961.
(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the normal notification procedures to the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States agencies 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 funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures established by the Committees on Appropriations.

SECTION 530.—COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 529. (a) No funds appropriated by this Act may be made as payment 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 such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5315 of title 5, United States Code.

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

SECTION 531.—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 the Foreign Assistance Act, notwithstanding section 5315 of title 5, United States Code, or any other provision of law, the Arms Export Control Act, the Inter-American Foundation Act, or the African Development Foundation Act) shall be made available to any country that is not in compliance with United Nations Security Council sanctions against Iraq unless the President determines and 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 within such country; and

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

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

SEC. 531. Unless expressly provided to the contrary, none of the funds appropriated under any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under 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 provide—

(a) any financial incentive to a business enterprise currently 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; or

(b) any assistance for any program, project, or activity in support of int'l and regional stability 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 programs, projects, or activities covered by section 507(4)(D), and (E) of such Act should be commensurate with the level of the development of the recipient country.

The agency shall promptly report to the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law: Provided, That any such funds that are made available for Cambodia shall be subject to the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1986.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 101 through 104, 106 through 110, and title 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 aimed at reducing greenhouse gas emissions: Provided, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out the provisions of sections 106 through 110, 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 enter into multiple award indefinite-quantity contracts with personal services contractors 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 activities 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 one country: Provided further, That such funds appropriated to carry out the Foreign Assistance Act of 1961 may be made available 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 Asia and the Pacific: Provided further, That such funds appropriated to carry out the Foreign Assistance Act of 1961 may be made available only 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 100–204 respecting the President’s authority in writing to the Speaker of the House of Representatives and the President 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 12 months and shall not apply beyond 12 months after the enactment of this Act.

(e) CONTINGENCIES.—During fiscal year 2003, the President may take such action as the President determines to be necessary to meet the requirements of section 545(d) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(f) REPEAL.—Section 545(d) of Public Law 100–204 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. 533. 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 the peace process and to the fair opportunity for the United States to engage in normal diplomatic relations with Israel and to enhance peace and security in the Middle East and North Africa;

(2) the Arab League boycott, which was reportedly reinstated in 1987, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) the three Arab League countries with diplomatic and trade relations with Israel should return their ambassadors to Israel, should refrain from downgrading their relations with Israel, and should play a constructive role in supporting and normalizing relations with 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 the United Nations, the United States, and the United Arab Emirates are committed to implementing the vision of the Middle East Peace Roadmap; 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 encourage firms that are implementing the boycott to comply with the boycott or to refrain from doing business with businesses that do comply.

ADMINISTRATION OF JUSTICE ACTIVITIES

SEC. 535. Of the funds appropriated or otherwise made available by this Act for “Economic Support Fund," assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be made available notwithstanding section 534(b) of the Foreign Assistance Act of 1961.
SEC. 537. (a) Funds appropriated by this Act which are earmarked are reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations. 

(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 Senate and the Committee on Foreign Relations and the Committee on Appropriations of the House of Representatives.

SEC. 538. Ceilings and earmarks contained in this Act are inapplicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

SEC. 539. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act: Provided, That not to exceed $750,000 may be made available to carry out the provisions of section 326 of Public Law 96–533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 540. None of the funds appropriated or made available pursuant to this Act for carrying out the provisions of chapters 1, 10, 11, and 12 of part I of the Foreign Assistance Act of 1961, the costs for participa-

tion of another country's delegation at inter-

national conferences held under the auspices of multilateral organizations may be used to pay in whole or in part any assessments, arrears, or dues of any member of the United Nations or, from funds appropriated by this Act, for International Financial Institutions.

NONGOVERNMENTAL ORGANIZATIONS—DOCU-

MENTATION

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be used for finalizing any document, file, or record necessary to the audit-

ing requirements of the United States Agency for International Development.

SEC. 542. (a) During fiscal year 2003, restrictions contained in this or any other Act with respect to assistance for a country shall not be applicable to assistance provided under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(b) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of any assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

SEC. 543. None of the funds appropriated by this Act which are earmarked 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.

SEC. 544. If the President determines that doing so will contribute to a just resolution of the situation, if there are violations of international humanitarian law, the President may direct a drawdown pursuant to sec-

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 539. No part of any appropriation con-

tered in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act: Provided, That not to exceed $750,000 may be made available to carry out the provisions of section 326 of Public Law 96–533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

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national conferences held under the auspices of multilateral organizations may be used to pay in whole or in part any assessments, arrears, or dues of any member of the United Nations or, from funds appropriated by this Act, for International Financial Institutions.

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ing requirements of the United States Agency for International Development.

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(b) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of any assistance to countries that support international terrorism; or

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national conferences held under the auspices of multilateral organizations may be used to pay in whole or in part any assessments, arrears, or dues of any member of the United Nations or, from funds appropriated by this Act, for International Financial Institutions.

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be used for finalizing any document, file, or record necessary to the audit-

ing requirements of the United States Agency for International Development.

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(b) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of any assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

SEC. 543. None of the funds appropriated by this Act which are earmarked 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.

SEC. 544. If the President determines that doing so will contribute to a just resolution of the situation, if there are violations of international humanitarian law, the President may direct a drawdown pursuant to sec-

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 539. No part of any appropriation con-

tered in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act: Provided, That not to exceed $750,000 may be made available to carry out the provisions of section 326 of Public Law 96–533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 540. None of the funds appropriated or made available pursuant to this Act for carrying out the provisions of chapters 1, 10, 11, and 12 of part I of the Foreign Assistance Act of 1961, the costs for participa-

tion of another country's delegation at inter-

national conferences held under the auspices of multilateral organizations may be used to pay in whole or in part any assessments, arrears, or dues of any member of the United Nations or, from funds appropriated by this Act, for International Financial Institutions.

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be used for finalizing any document, file, or record necessary to the audit-

ing requirements of the United States Agency for International Development.

SEC. 542. (a) During fiscal year 2003, restrictions contained in this or any other Act with respect to assistance for a country shall not be applicable to assistance provided under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(b) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of any assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

SEC. 543. None of the funds appropriated by this Act which are earmarked 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.

SEC. 544. If the President determines that doing so will contribute to a just resolution of the situation, if there are violations of international humanitarian law, the President may direct a drawdown pursuant to sec-
Bank and Gaza, including the dismantling of terrorist infrastructures;
(C) has established a Palestinian security entity that is fully cooperating with appropriate Israeli security forces; and
(D) has taken appropriate measures to enact a constitution assuring the rule of law and other reforms assuring transparent and accountable government of the Palestinian territories.

(b) WAIVER.—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) EXCEPTION.—The restriction of subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated security forces and to make it a newly elected government entity, in order to help meet the requirements of subsection (a), consistent with the provisions of sections 543 and 551 of this Act.

SEC. 549. The Secretary of the Treasury shall instruct the United States executive director to each international financial institution to use the voice and vote to support projects in the Palestinian territories that do not include activities 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 on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

SEC. 550. The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2771 et seq.), for the purposes of the Haitian 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 any of the programs under 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 certifies in writing 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 provided for 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 AVAILABLE 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 committed 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 such action and shall present to the affected government entity a plan for the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

PROTECTION OF TROPICAL FORESTS AND WILDLIFE

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 of the funds made available under 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 to support policies and programs in developing countries, countries in transition and other partner countries that directly (1) promote a wide range of energy conservation, energy efficiency and clean energy programs and activities, including the transfer of clean and environmentally sustainable energy technologies; (2) measure, monitor, and reduce greenhouse gas emissions; (3) increase carbon sequestration activities; and (4) enhance climate change mitigation and adaptation programs: Provided, That of the funds made available under this heading, not less than $13,000,000 should 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's fiscal year 2004 budget request is submitted to Congress, the President shall submit 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 programs and activities by line-item as presented in the President's Budget Appendix; and
(2) all fiscal year 2002 obligations and estimated expenditures, not less than $150,000,000, in fiscal year 2003 estimated expenditures and estimated obligations, 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 clean energy and energy efficiency technologies; (2) to assist in establishing management, monitoring, reporting, verification, and reduction of greenhouse gas emissions; (3) to promote carbon capture and sequestration measures; (4) to help meet such obligations, 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 Health Development Assistance", "International Disaster Assistance", "Transition Initiatives", "Economic Support Fund", "International Narcotics Control and Law Enforcement Assistance", "Nonproliferation, Anti-Terrorism, Demining and Related Programs", "International Military Education and Training" and "Foreign Military Financing Programs", not less than $213,000,000 should be made available for humanitarian, reconstruction, and other assistance for Afghanistan, including repairing homes of Afghan citizens that were damaged or destroyed as a result of military operations: Provided, That of the funds made available pursuant to this section that are appropriated under the heading "Economic Support Fund", not less than $8,000,000 shall be made available for programs to support women's development in Afghanistan, including girls' and women's educational development, health, economic opportunity, and political participation: Provided further, That of the funds provided in the previous proviso, $5,000,000 shall be made available to support activities directed by the Afghan Ministry of Women's Affairs including the establishment of women's resource centers in Afghanistan, and not less than $1,500,000 should be made available to support activities of the National Human Rights Commission of Afghanistan: Provided further, That 1 year after the date of enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that details women's development programs in Afghanistan supported by the United States Government, and barriers that impede women's development in Afghanistan.

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 promote democracy, unless the Secretary of State determines and certifies to the Committees on Appropriations that the rule of law has been restored in Zimbabwe. democracy and human rights in Zimbabwe, including respect for ownership and title to property, freedom of speech and association.

NIGERIA

SEC. 557. Funds appropriated under the headings "International Military Education and Training" and "Foreign Military Financing Program" may be made available for Nigeria out of the amount appropriated for international education and training and non-lethal defense articles, until the President certifies to the appropriate congressional committees that the Nigerian Minister of Defense, the Chief of the Military Staff, and the Minister of State for Defense/Army, are suspending the Armed Forces those members, of whatever rank, against whom there were credible allegations 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 $6,500,000 shall be made available to support democracy and human rights activities along the Burma-Thailand border, and for Burmese student groups and other organizations located outside Burma that are working on 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 notification procedures of the Committees on Appropriations.

AFRICAN ECONOMIC FUND RESTRICTIONS

SEC. 559. Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Economic Fund, in whole or in part, the President shall submit to the Committees on Appropriations with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Economic 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, unless loans to meet basic human needs.

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

(2) Paragraph (1) shall not be applied to assistance for basic education, reproductive and maternal health, children's health, economic development, and for the Ministry of Women and Veterans Affairs to combat human trafficking.
(c) 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 for democratic and market-oriented reforms and to provide democratic assistance to the independent nations of the region.

(d) Of the funds appropriated by this Act, $1,750,000 shall be made available, notwithstanding subsection (b), for contributions to the North Atlantic Treaty Organization under the heading "Nonproliferation, Anti-Terrorism, Demining and Related Programs" for assistance to KEDO for administrative expenses only not-related to the Program funded under the heading "Korean Peninsula Energy Development Organization." Provided further, That such funds may be made available only if an amount at least equal to 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 personnel (excluding sales, and excluding training provided to personnel of countries belonging to the North Atlantic Treaty Organization) under programs administered 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, for each such military training activity, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign students trained and their units of operation, and the location of the training. In addition, this report shall include, in respect to funds appropriated solely for personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in such training activities. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report is deemed to be a report to the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and International Relations Committees of the House of Representatives.

KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

SEC. 562. None of the funds appropriated by this Act for assistance to KEDO for administrative expenses only not-withstanding any other provision of law, except that funds appropriated 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 $3,500,000 of funds appropriated under the heading "Nonproliferation, Anti-Terrorism, Demining and Related Programs" for assistance to KEDO for administrative expenses only not-withstanding any other provision of law, if he determines that it is in the national security interest of the United States to do so and provides a written policy justification to the appropriate congressional committees: Provided further, That funds may be obligated for assistance to KEDO subject to the regular notification procedures of the Committees on Appropriations.

COLOMBIA

SEC. 563. (a) DETERMINATION AND CERTIFICATION REQUIRED.—Notwithstanding any other provision of law, funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available for assistance to the Colombian Government or a political entity of the Colombian Government’s unified campaign against narcotics trafficking and against paramilitary and guerrilla organizations designated as terrorist organizations, 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 only after the Secretary of State certifies to the appropriate congressional committees that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary or guerrilla organizations,

(B) The Colombian Government is prosecuting and punishing those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and the Colombian Armed Forces are cooperating with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspected of having committed such violations, and the cause and facts of the suspicion, and access to witnesses, relevant military documents, and other requested information).

(C) The Colombian Armed Forces are severing links (including access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with organizations, and in military organizations, and the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.

(D) The Colombian Armed Forces are apprehending the leaders of paramilitary organizations.

(3) The balance of such funds may be obligated after July 1, 2003, if the Secretary of State certifies and reports to the appropriate congressional committees, after such date, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.

(b) CONSULTATIVE PROCESS.—At least 10 days prior to making the certifications required by this subsection, the Secretary shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in that subsection.

(c) DEFINITIONS.—

(1) AIDED OR ABETTED.—The term "aided or abetted" means to provide any support to paramilitary or guerrilla groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) PARAMILITARY GROUPS.—The term "paramilitary groups" means illegal self-defense groups and illegal security cooperatives.

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, incited, 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 such alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

SEC. 565. None of the funds appropriated or otherwise made available by this Act may be used for any assistance, including military assistance, economic assistance, training, technical assistance, 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 training government security forces and to support efforts to bring about a transition to democracy in Iraq: Provided, That more than 15 percent of the funds, except for funds needed to broadcast, may be used for administrative and representation expenses, including expenditures for offices, office rent and equipment. Provided further, That none of the funds made available pursuant to this section may be made available to any organization to reimburse or pay for costs incurred by such organization in prior fiscal years: Provided further, That funds made available under this heading are made available subject to the regular notification procedures of the Committees on Appropriations.

WEST BANK AND GAZA PROGRAM

SEC. 567. For fiscal year 2003, 30 days prior to the obligation of funds made available pursuant to the Act under the heading "West Bank and Gaza Program", the Secretary of State shall certify to the appropriate committees of Congress that procedures that have been established to ensure that 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

SEC. 568. (a) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Indonesia, and 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 Indonesian Minister of Defense is suspending from the Armed Forces those members, whatever rank, who have been credibly alleged to have committed gross violations of human rights, or to have aided or abetted military groups;

(2) The Indonesian Government is prosecuting and punishing those members of the Indonesian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, or to have aided or abetted military organizations, and the Indonesian Armed Forces are cooperating with civilian prosecutors and judicial authorities in such cases (including providing access to witnesses, relevant military documents, and other requested information); and

(3) The Minister of Defense is making publicly available audits of receipts and expenditures of the Indonesian Armed Forces, including audits of receipts from private enterprises and foundations.

SEC. 569. None of the funds appropriated by this Act may be made available for assistance for the government of any country for which the Secretary of State determines there is credible evidence that such government has knowingly facilitated the sale of weapons or other equipment, or has provided lethal or non-lethal military equipment, supplies, or services to the mercenary arm of a democratically elected government of the Republic of Sierra Leone.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 565. None of the funds appropriated or otherwise made available by this Act may be used for any assistance, including military assistance, economic assistance, training, technical assistance, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

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(h) None of the funds appropriated by this Act may be made available for assistance for the government of any country for which the Secretary of State determines there is credible evidence that such government has aided or abetted, within the previous six months, in the illicit distribution, transportation, or sale of diamonds mined in Sierra Leone.

(c) Not later than six months after the date of the enactment of this Act, and seven months thereafter, the Secretary of State shall submit a report to the Committees on Appropriations describing the following:

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

(2) The use during such period of defense articles, defense services, and financial assistance provided by the United States to units of the armed forces, border guards, or other security forces of such countries.

(d) For purposes of this section, the term "countries of Central Asia" means Uzbekistan, Kazakhstan, Kyrgyz Republic, Tajikistan, and Turkmenistan.

AMERICAN CHURCHWOMEN AND OTHER CITIZENS IN EL SALVADOR AND GUATEMALA

SEC. 572. (a) Information relevant to the December 2, 1980, murders of four American churchwomen in El Salvador, and the May 5, 2001, murder of Sister Barbara Ann Ford and the murder of American citizens in Guatemala since December 1999, should be used in making determinations as to the willingness of such governments to provide information, including unimpeded access for investigators to archives and is not including Major Defense Equipment (other than helicopters and other types of aircraft having engines larger than 200 horsepower), and not including defense articles from United States suppliers, to international financial institutions regarding the prevention of money laundering and terrorist financing.

(b) Funds appropriated by this Act and the Foreign Assistance Act of 1961, may be made available for assistance for the government of any country for which the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uzbekistan has made significant improvements in the protection of human rights during the preceding six month period.

(c) Not later than three months after the date of the enactment of this Act, and seven months thereafter, the Secretary of State shall submit a report to the Committees on Appropriations describing the following:

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

(2) The use during such period of defense articles, defense services, and financial assistance provided by the United States to units of the armed forces, border guards, or other security forces of such countries.

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

(4) DAYTON ACCORDS.—The term "Dayton Accords" means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

USER FEES

SEC. 575. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

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 Secretary of State determines and certifies to the Committees on Appropriations that the Government of Serbia has—

(1) cooperated with the Tribunal, including unimpeded access for investigators to archives and is not including Major Defense Equipment (other than helicopters and other types of aircraft having engines larger than 200 horsepower), and not including defense articles from United States suppliers, to international financial institutions regarding the prevention of money laundering and terrorist financing.

(2) are acting consistently with the Dayton Accords.

(3) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Federal Reserve Bank of New York, the International Monetary Fund, and the governments of countries to which the funds are being made available, shall consult with the international financial institutions to support loans and assistance to the Republics of the Federal Republic of Yugoslavia through 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 Republics of the Federal Republic of Yugoslavia is—

(1) cooperating, on a continuing basis, with the International Criminal Tribunal for the former Yugoslavia including unimpeded access for investigators to archives and is not including Major Defense Equipment (other than helicopters and other types of aircraft having engines larger than 200 horsepower), and not including defense articles from United States suppliers, to international financial institutions.

(2) taking steps to implement policies which respect and endorse 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 multinational or assistance to promote the consolidation among ethnic groups within the former Yugoslav.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 577. (a) AUTHORITY.—Funds made available to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 606 of that Act, to enhance the effectiveness and accountability of police force in the former Yugoslavia.

(b) REPORT.—
(1) The Administrator of the United States Agency for International Development shall submit, at the time of submission of the agency’s Congressional Budget Justification Document for fiscal year 2004, and annually thereafter, a report to the Committees on Appropriations describing the progress these 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 587(h)(2) of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning in any country to which the President determines to contribute effectively community-based police programs where no such laws or regulations exist, and the extent to which such revenues and expenditures are publicly disclosed; and

(2) there is evidence of involvement of the Government of Cuba in drug trafficking.

PROHIBITION ON FUNDING FOR ABORTIONS AND INNOCENT ABORTION AND INNOCENT VOLUNTARY STERILIZATION

SEC. 585. Funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning in any country to which the President determines to contribute an effective community-based police program.

(2) None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning in any country to which the President determines to contribute an effective community-based police program where no such laws or regulations exist, and the extent to which such revenues and expenditures are publicly disclosed; and

(2) there is evidence of involvement of the Government of Cuba in drug trafficking.

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(2) there is evidence of involvement of the Government of Cuba in drug trafficking.

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(2) there is evidence of involvement of the Government of Cuba in drug trafficking.

PROHIBITION ON FUNDING FOR ABORTIONS AND INNOCENT VOLUNTARY STERILIZATION

SEC. 585. Funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning in any country to which the President determines to contribute an effective community-based police program.

(2) None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning in any country to which the President determines to contribute an effective community-based police program.

(2) there is evidence of involvement of the Government of Cuba in drug trafficking.

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(2) there is evidence of involvement of the Government of Cuba in drug trafficking.
This division may be cited as the “Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2003”,

DIVISION F—INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 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, namely,

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and 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 administration of the Bureau, management of the mineral resources of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $816,062,000, to remain available until expended, of which $1,000,000 is for high priority projects, of which $100,000 shall be carried out as part of 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 2 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Fund Act of 1965, as amended (43 U.S.C. 400l–6(a)); and of which $3,000,000 shall be available in fiscal year 2003 subject to a match by at least an equal amount by the National Ranching Conservancy, 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 Administration program operations, including the cost of administering the mining claim fee prohibition, and available until expended for mining claim fees to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation to the extent that mining claim fees exceed $816,062,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administration site rental fees (97–217, 87 Stat. 350).

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.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, forest health, 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 renovation or repair damage to the exact land for 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 may procure or enter into agreements for Federal, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in entering into such agreements, the Secretary may consider the benefits that arise from such agreements, the costs associated with such agreements, and the extent to which such agreements will provide enhanced protection of Federal lands or waters, or interests therein, including existing connecting roads on or adjacent to such lands: Provided further, That any such agreements may provide a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with section 208(c)(2)(B) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 100–684, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and implementing salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Forest Ecosystem Health and Recovery Fund is a special receipt fund and may be expended under the authority of section 401 of the Act of August 28, 1937 (50 Stat. 876).

RAILROAD GRANT LANDS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal land-grant railroads pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sum equal to 40 percent of all monies received during the prior fiscal year under 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 leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For collections, service charges, deposits, and forfeitures to the General Fund, $600,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for administrative expenses.

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 property, such as may be necessary to carry out any provision applicable to any such Act; $130,500,000, to remain available until expended.
were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended for constructions, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced as refundable costs, surcharges, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

FUND PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, construction and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements with government, industry, and private groups, or by entering into agreements with cooperators in connection with jointly produced publications for which the cooperative is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific and economic studies, conservation, management, investigation, utilization of scientific and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $902,697,000, to remain available until September 30, 2004, except as otherwise provided herein: Provided, That not less than $2,000,000 shall be available for cooperative agreements with governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until June 30, 2004: Provided further, That $2,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps: Provided further, That not to exceed $9,077,000 be available for implementation of subsections (a), (b), (c), and (d) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for purposes of petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $5,000,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(2), excluding litigation support, for species already listed pursuant to subsection (a)(1) as of the date of enactment this Act: Provided further, That of the amount available for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement, up to $400,000, which may remain available until expended for commonplace sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, utilization of scientific and wildlife resources, and the acquisition of lands and interests therein; $42,882,000, to remain available until expended: Provided, That notwithstanding section 12 of the general language of law, a single procurement for the construction of the Kodiak National Wildlife Refuge visitor center may be issued which includes the full scope of all work to be done; Provided further, That the project and contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 6901–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest thereon, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $81,555,000, 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 107–248, to be derived from the Land and Water Conservation Fund and to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, $81,000,000, to be derived from the Cooperative Endangered Species Conservation Fund and to remain available until expended.

FEDERAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $14,414,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $38,560,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION FUND

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106–247 (16 U.S.C. 6101–6109), $2,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND


STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to political subdivisions thereof, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Indian Reorganization Act of 1935 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 for obligations made on or before December 31, 2005, and which shall be available under provisions of law which exclude from the Federal share of such projects not more than one-half of 1 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) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 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 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 1 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 combined total area of such States to the total area of all such States; and (B) two-thirds of which is based on the ratio to which the population of such States bears to the total population of all 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 greater than that which would be available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the 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 a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of State, territory, or other jurisdiction’s wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for those species: Provided further, That any amount apportioned in 2003 to any State, territory, or other jurisdiction that remains unobligated as of the last date of availability to such State, territory, or other jurisdiction, and which are used pursuant to law in connection with management of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing and other forms of reproduction and publication in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing services from cooperators in connection with proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii), of which not to exceed $5,000,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(2), excluding litigation support, for species already listed pursuant to subsection (a)(1) as of the date of enactment this Act: Provided further, That of the amount available for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement, up to $400,000, which may remain available until expended for commonplace sample analyses.
For expenses necessary to carry out the programs of the United States Park Police, $78,431,900, to remain available until expended.

NATIONAL RECREATION AND PRESERVATION
For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance programs, international relations programs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $62,978,000.

GEOLOGICAL SURVEY FUND
For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 290 et seq.), $10,000,000, to remain available until expended.

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 104–332), $67,600,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2004; Provided, That of the total appropriation of $30,000,000 for fiscal year 2003 for Save America’s Treasures for priority preservation projects of nationally significant sites, structures, and artifacts: Provided further, That any individual Save America’s Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be reimbursed for 30 percent of total costs; Provided further, That none of the funds appropriated herein shall be used for acquisition of the Great Salt Pond burial tract: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System, or of any new unit of the National Park System, or of any new unit of the National Monuments, or of any new unit of the National Historic Landmarks, or of any new unit of the National Historic Preservation Fund; Provided further, That of the funds provided for Save America’s Treasures grant program funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Committee on Appropriations and concurrence with the President’s Committee on the Arts and Humanities: Provided further, That none of the funds provided for Save America’s Treasures grants shall be used for administration expenses, and that staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION
For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $115,000,000; for expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $204,005,000, to be derived from the Land and Water Conservation Fund pursuant to 16 U.S.C. 407a.

LAND AND WATER CONSERVATION FUND (RECESSION)
For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $4,000,000; for expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $115,000,000, to be derived from the Land and Water Conservation Fund pursuant to 16 U.S.C. 407a.

UNITED STATES PARK POLICE
For expenses necessary to carry out the programs of the United States Park Police, $78,431,900, to remain available until expended.

NATIONAL RECREATION AND PRESERVATION
For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance programs, international relations programs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $62,978,000.

GEOLOGICAL SURVEY FUND
For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 290 et seq.), $10,000,000, to remain available until expended.

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 104–332), $67,600,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2004; Provided, That of the total appropriation of $30,000,000 for fiscal year 2003 for Save America’s Treasures for priority preservation projects of nationally significant sites, structures, and artifacts: Provided further, That any individual Save America’s Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be reimbursed for 30 percent of total costs; Provided further, That none of the funds appropriated herein shall be used for acquisition of the Great Salt Pond burial tract: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System, or of any new unit of the National Park System, or of any new unit of the National Monuments, or of any new unit of the National Historic Landmarks, or of any new unit of the National Historic Preservation Fund; Provided further, That of the funds provided for Save America’s Treasures grant program funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Committee on Appropriations and concurrence with the President’s Committee on the Arts and Humanities: Provided further, That none of the funds provided for Save America’s Treasures grants shall be used for administration expenses, and that staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION
For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $115,000,000; for expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $204,005,000, to be derived from the Land and Water Conservation Fund pursuant to 16 U.S.C. 407a.

LAND AND WATER CONSERVATION FUND (RECESSION)
For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $4,000,000; for expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $115,000,000, to be derived from the Land and Water Conservation Fund pursuant to 16 U.S.C. 407a.

UNITED STATES PARK POLICE
For expenses necessary to carry out the programs of the United States Park Police, $78,431,900, to remain available until expended.

NATIONAL RECREATION AND PRESERVATION
For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance programs, international relations programs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $62,978,000.

GEOLOGICAL SURVEY FUND
For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 290 et seq.), $10,000,000, to remain available until expended.

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 104–332), $67,600,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2004; Provided, That of the total appropriation of $30,000,000 for fiscal year 2003 for Save America’s Treasures for priority preservation projects of nationally significant sites, structures, and artifacts: Provided further, That any individual Save America’s Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be reimbursed for 30 percent of total costs; Provided further, That none of the funds appropriated herein shall be used for acquisition of the Great Salt Pond burial tract: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System, or of any new unit of the National Park System, or of any new unit of the National Monuments, or of any new unit of the National Historic Landmarks, or of any new unit of the National Historic Preservation Fund; Provided further, That of the funds provided for Save America’s Treasures grant program funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Committee on Appropriations and concurrence with the President’s Committee on the Arts and Humanities: Provided further, That none of the funds provided for Save America’s Treasures grants shall be used for administration expenses, and that staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION
For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $115,000,000; for expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $204,005,000, to be derived from the Land and Water Conservation Fund pursuant to 16 U.S.C. 407a.

LAND AND WATER CONSERVATION FUND (RECESSION)
For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $4,000,000; for expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administration of the land acquisition program, $115,000,000, to be derived from the Land and Water Conservation Fund pursuant to 16 U.S.C. 407a.

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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 activities or carried on in cooperation with States and municipalities.

PROVISION

The amount appropriated for the United States Government to acquire the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such surveys are public need; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of land for general airport functions and associated wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the U.S. Customs Service.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For carrying out the provisions and regulations of the National Environmental Policy Act of 1969, the National Wildlife Federal Aid Act of 1956, the Endangered Species Act of 1973, and the Marine Mammal Protection Act of 1972; for surveys, investigations, and research, and for administrative costs directly related to filling the Strategic Petroleum Reserve: Provided, That MMS shall analyze and document the expected royalty-in-kind sales, without regard to fiscal year

OIL SPILL RESEARCH

For necessary expenses to carry out title I, sections 101, 102, 103, titles VI, VII, and title VIII, section 802 of the Oil Pollution Act of 1990, $60,105,000, which shall be derived from the Oil Spill Liability Trust Fund, to carry out the Office of Surface Mining Reclamation and Enforcement regulation and technology.

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 10 passenger motor vehicles for replacement only; $150,592,000: Provided, That the Secretary of the Interior, pursuant to regulations, the necessary funds for mining operations; provided that not to exceed $5,000,000,000 be available for the payment of in-kind royalty payments to Indian allottees or tribes, or to correct erroneous payments: Provided further, That MMS shall analyze and document the expected royalty-in-kind sales, without regard to fiscal year

For necessary expenses to carry out title IV, sections 4202 and 4303, title

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1975 (25 U.S.C. 5001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,855,635,000, to remain available until expended, except as otherwise provided herein, of which not to exceed $85,857,000 shall be for welfare assistance payments and notwithstanding any other provision of law, MMS shall remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may be used without fiscal year limitation for the payment of in-kind royalty payments to Indian allottees or tribes, or to correct erroneous payments:

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 to exceed 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 Fund, shall be for supplementary grants to States for the reclamation of abandoned mines and drainage areas from coal mines, and for associated activities, and for construction of the Navajo Indian Irrigation project: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2004: Provided further, That funds appropriated under this Act shall be available for the payment of interest earned on the amount) is expended by the United States Government to pay for the provision of law, not to exceed $11,000,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended:

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 to exceed 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 Fund, shall be for supplementary grants to States for the reclamation of abandoned mines and drainage areas from coal mines, and for associated activities, and for construction of the Navajo Indian Irrigation project: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2004: Provided further, That funds appropriated under this Act shall be available for the payment of interest earned on the amount) is expended by the United States Government to pay for the provision of law, not to exceed $11,000,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended:

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 to exceed 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 Fund, shall be for supplementary grants to States for the reclamation of abandoned mines and drainage areas from coal mines, and for associated activities, and for construction of the Navajo Indian Irrigation project: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2004: Provided further, That funds appropriated under this Act shall be available for the payment of interest earned on the amount) is expended by the United States Government to pay for the provision of law, not to exceed $11,000,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended:

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 to exceed 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 Fund, shall be for supplementary grants to States for the reclamation of abandoned mines and drainage areas from coal mines, and for associated activities, and for construction of the Navajo Indian Irrigation project: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2004: Provided further, That funds appropriated under this Act shall be available for the payment of interest earned on the amount) is expended by the United States Government to pay for the provision of law, not to exceed $11,000,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended:

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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 to exceed 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 Fund, shall be for supplementary grants to States for the reclamation of abandoned mines and drainage areas from coal mines, and for associated activities, and for construction of the Navajo Indian Irrigation project: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2004: Provided further, That funds appropriated under this Act shall be available for the payment of interest earned on the amount) is expended by the United States Government to pay for the provision of law, not to exceed $11,000,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended:

CONSTRUCTION

For construction, repair, improvement, and maintenance of navigational facilities, bridges, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; acquisition of rights-of-way; and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483,
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$348,252,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2003, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to Indian tribes or tribal organizations, the Secretary may provide funds pursuant to Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 4 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 4 CFR: The Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety requirements required by law or regulation, 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(j): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the dispute provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and Indian tribes or other entities for nonreimbursable expenses, $75,949,000, to remain available until expended; of which $24,870,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618 and 102–575, and for implementation of other enacted water rights settlements; of which $3,068,000 shall be available for future Indian land and water claim settlements pursuant to Public Laws 106–163; and of which $5,011,000 shall be available pursuant to Public Laws 99–264, 100–580, 106–363, 106–425 and 106–554.

INDIAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, $5,000,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such cost of insured and guaranteed loans, shall be as defined in 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 is to be guaranteed, not to exceed $72,464,000.

In addition, for administrative expenses to carry out the guaranteed and insured loan programs, $8,000,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase and operation of 229 passenger automobiles and vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds provided for the Bureau of Indian Affairs for central office operations, pooled overhead general administration (except facilities operations and maintenance), or provided to implement the recommendations of the National Academy of Public Administration’s August 1999 report shall be available for tribal contracts, grants, cooperative agreements or agreements entered into with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this government to government relationship, the Government’s trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe’s ability to accommodate, the Secretary shall consider whether the tribal government, the tribe’s ability to accommodate, and any grantee concerning a grant shall be subject to the jurisdiction of the Department of the Interior, $75,217,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–264.

For the purpose of implementing the Department of the Interior, $72,427,000, of which not to exceed $8,500 may be for official reception and representation expenses, and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $47,773,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General, $33,622,000, of which $3,812,000 shall be for independent auditing services to audit the consolidated Department of the Interior annual financial statement and the annual financial statement of the Department of the Interior bureaus and offices funded in this Act.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

For operating costs of the Special Trustee for American Indians, $82,124,000, to be available for salaries and expenses of the Special Trustee for American Indians, $82,124,000.

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $151,027,000, to remain available until expended: Provided, That the funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs “Operation of Indian Programs” account and to the Departmental Management “Salaries and Expenses” account: Provided further, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2003: Provided further, That the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvements, and to assure instructional participation and cost sharing to be determined by the Secretary based on the grantee’s commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 232, 233, and 235 of the Compact of Free Association: Provided for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 232, 233, and 235 of the Compact of Free Association: Provided further, That Northern Mariana Islands approved by Public Law 104–134: Provided further, That such amounts as may be available, until expended, as authorized by Public Law 99–239 and Public Law 99–264.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $75,217,000, of which: (1) $70,102,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management costs, insular activity costs, brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by section 925 of the Public Law 105–30 and $3,100,000 shall be available for local revenues, for construction and support of governmental functions; grants to the Government of the Northern Mariana Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Republic of Palau as provided for in section 122 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 232, 233, and 235 of the Compact of Free Association: Provided further, That not to exceed $2,300,000 shall be available until expended, as authorized by Public Law 99–239 and Public Law 99–264.

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $73,120,000, to remain available until expended, if approved by Congress: Provided, That such amounts as may be available for technical assistance, sufficient funding shall be provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvements, and to assure instructional participation and cost sharing to be determined by the Secretary based on the grantee’s commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).
claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That notwithstanding any other provision of law, such fund shall not be available to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of less than $10,000, or for which the tribe has not requested such a written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of other disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to this account.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with determining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, $7,989,000, to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management.

For implementation of a water rights and habitat acquisition program pursuant to section 10 of Public Law 106–263, $5,000,000, to remain available until expended and to be derived from the Land and Water Conservation Fund: Provided, That these funds may be available for transfer to the Bureau of Indian Affairs.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION


ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any provision of law, aircraft being replaced may be 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, identification number X212S, serial number 20609616, 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”, “Office of the Solicitor”, and “Office of Inspector General” may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Sect. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, of the emergency re-construction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, wind, vandalism, or other causes: Provided, That such funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergency purposes are replenished: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Sect. 102. The Secretary may authorize the expenditure or transfer of any non-year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department, and including the authorized activities resulting in the consolidation of activities will contribute to efficiency, and said appropriations shall be reimbursed for services rendered to any fair basis, accounted for, and authorized by sections 1535 and 1536 of title 31, United States Code: Provided, That reimbursements for costs and supplies, materials, equipment, and services as authorized by section 1337 of this title, in the field, when authorized under regulations, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only into obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which are not invested in obligations or securities that are guaranteed or insured by the United States; or

(2) invested only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of the failure of the insurer.

Sect. 112. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of the Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management activities, including, but not limited to, the Indian Trust Management Improvement Project High Level Implementation Plan.
SEC. 113. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of Title 28, United States Code, are satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, if the proceeding is conducted in the competitive service, for such period of time as the Secretary determines necessary: Provided, That the basic pay of an Indian probate judge so compensated may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and rate schedule employment, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 114. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas, or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2003. No tribe shall be required, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 115. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2003 shall be allocated among the schools proportionate to the unmet need of the schools determined under the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 116. (a) The Secretary of the Interior shall have the authority to determine whether the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 117. Notwithstanding any other provision of law, in convening the Twin Cities Research Center, the Secretary shall determine which individuals are eligible for the Twin Cities Research Center, including the Indian Tribes of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 118. Notwithstanding other provisions of law, the National Park Service may authorize, through the office of the Assistant Secretary for Fish and Wildlife, the National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas under the provisions of law.

SEC. 119. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings including those collected in fiscal year 2002, may be credited to the appropriation from which funds were expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

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 that school.

(2) INDIAN TRIBE.—The term "Indian tribe" has the meaning given that term in section 4(e) 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.

(4) TRIBAL SCHOOL.—The term "tribally controlled school" has the meaning given that term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 551).

(5) DEMONSTRATION PROGRAM.—The term "demonstration program" means the Tribal School Construction Demonstration Program.

(b) IN GENERAL.—The Secretary shall carry out a demonstration program for fiscal years 2003 through 2007 for the benefit of Indian tribes for the construction of tribally controlled schools.

(1) IN GENERAL.—Subject to the availability of appropriations, in carrying out the demonstration program under subsection (b), the Secretary shall award grants to Indian tribes that submits an application that is approved by the Secretary under paragraph (2). The Secretary shall ensure that an Indian tribe that agrees to fund all future operation and maintenance costs of the tribally controlled school constructed under the demonstration program, shall receive a priority other than federal funds receives the highest priority for a grant under this section.

(2) GRANT APPLICATION.—An application for a grant under this section shall include:

(A) a proposal for the construction of a tribally controlled school of the Indian tribe that submits the application; and

(B) be in such form as the Secretary determines appropriate.

(3) 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 a tribal share equal to 50 percent of the costs; and

(C) any other term or condition that the Secretary determines to be appropriate.

(4) ELIGIBILITY.—Grants awarded under the demonstration program shall be used only for construction or replacement of a tribally controlled school.

(c) EFFECT OF GRANT.—A grant received under this section shall be in addition to any other funds received under any other provision of law.

(1) That the Indian tribe shall be required to reimburse the Federal Government for all federal funds received in that fiscal year before the fees are reimbursed until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 121. WHITE RIVER OIL SHALE MINE, UTAH. SALT. —Subject to the terms and conditions of section 126 of the Department of the Interior and Related Agencies Appropriations Act, 2003, the Administrator of General Services shall sell all right, title, and interest of the United States in and to the improvements and equipment of the White River Oil Shale Mine, Utah.

SEC. 122. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of caring for and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (73 Stat. 470; 18 U.S.C. 470(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 123. Of the funds made available in this Act shall be used to improve the transfer of lands on South Fox Island, Michigan until Congress has authorized such transfer.

SEC. 124. In fiscal year 2003 and each fiscal year thereafter, notwithstanding any other provision of law, with respect to a service contract for the provision of all personal and transportation services at Zion National Park or Rocky Mountain National Park, the Secretary of the Interior may obligate the expenditure of fees expected to be received in that fiscal year from fees received, so long as total obligations do not exceed fee collections retained at Zion National Park or Rocky Mountain National Park, respectively, by the end of that fiscal year.

SEC. 125. Section 6(f) of Public Law 88–578 as amended shall not apply to LWCF program.

SEC. 126. None of the funds made available in this Act or any other Act providing appropriations for the Department of the Interior may be used to pay any decision or take any action to issue a right-of-way grant for a pipeline or associated facilities related to the Cudlin groundwater storage and drug supply program.

SEC. 127. Notwithstanding section 1(d) of Public Law 107–62, the National Park Service is authorized to obligate $1,000,000 in fiscal year 2002 to plan the John Adams Presidential memorial in cooperation with non-Federal partners.

SEC. 128. Notwithstanding any other provision of law, funds appropriated and remaining available in the Construction (Trust Fund) account of the National Park Service at the completion of the rehabilitation and improvement of the Glacier National Park, the Secretary of the Interior may obligate these funds only for the rehabilitation and improvement of the Glacier National Park, the Secretary of the Interior may obligate these funds only for the rehabilitation and improvement of the Glacier National Park.

SEC. 129. Using funds appropriated by any section 501(d) of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106–31), the Secretary shall provide interim compensation payments of up to $10,000 each within 30 days of the date of the enactment of this Act to all claimants who filed a claim for compensation under the Glacier Bay compensation plan and which claimants have not received a compensation payment. The amount of final compensation paid to any such claimant shall be reduced by the full dollar amount of any interim compensation payments received.

SEC. 130. Hereafter, the Department of the Interior National Business Center may continue to enter into grants, contracts, and other transactions, under the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992, and other related legislation.


(b) USE OF CERTAIN INDIAN LAND.—Nothing in this section permits the conduct of gaming under the Indian Gaming 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, 2002 (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 of the Interior.

SEC. 132. Section 3(j)(2)(B) of Public Law 99–548 (100 Stat. 3061; 113 Stat. 1501A–168) is amended by striking“(a)” and inserting the following:

“(iv) SEC. 7. — No Funds.”

SEC. 133. Of the funds made available under the heading "United States Fish and Wildlife
with the Chairman of the Federal Communications Commission and the Administrator of the Federal Aviation Administration, shall submit to the Committee on Appropriations, the Committee on Energy and Natural Resources, and the Committee on Commerce, Science, and Transportation of the Senate a report on avian mortality at communications towers in the United States. (c) CONTENTS.—The report submitted under subsection (a) shall include—

(1) an estimate of the number of birds that collide with communication towers;
(2) a description of the causes of those collisions; and
(3) recommendations on how to prevent those collisions.

SEC. 145. PERMANENT AUTHORITY TO OPERATE THE STRATEGIC PETROLEUM RESERVE AND OTHER ENERGY PROGRAMS. (a) AMENDMENT TO TITLE I OF THE ENERGY POLICY AND CONSERVATION ACT.—Title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.) is amended—

(1) by striking section 106 (42 U.S.C. 6246) and inserting—

"AUTHORIZATION OF APPROPRIATIONS.—

Sec. 106. There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this part and part D, to remain available until expended.";

(2) by striking section 106 (42 U.S.C. 6256e) and—

(3) by striking part E (42 U.S.C. 6251; relating to the expiration of title I of the Act).

(b) AMENDMENT TO TITLE II OF THE ENERGY POLICY AND CONSERVATION ACT.—Title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.) is amended—

(1) by striking section 516 (42 U.S.C. 6276(h)) and inserting—

"(q) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this part, to remain available until expended.";

(2) by inserting before section 273 (42 U.S.C. 6283) the following:

"PART C—SUMMER FILL AND FUEL BUDGETING PROGRAMS;"

(3) by striking section 273(e) (42 U.S.C. 6283(e); relating to the expiration of summer fill and fuel budgeting programs) and—

(4) by striking part D (42 U.S.C. 6285; relating to the expiration of title II of the Act).

(c) TECHNICAL AMENDMENTS.—The table of contents for the Energy Policy and Conservation Act is amended—

(1) by amending the items relating to part D of title I to read as follows:

"PART D—NORTHEAST HOME HEATING OIL RESERVE;"

"Sec. 181. Establishment.
"Sec. 182. Authority.
"Sec. 183. Conditions for release; plan.
"Sec. 185. Exemptions;"

(2) by amending the items relating to part C of title II to read as follows:

"PART C—SUMMER FILL AND FUEL BUDGETING PROGRAMS"

"Sec. 273. Summer fill and fuel budgeting programs.
"Sec. 273(e). Summer fill and fuel budgeting programs;"

(3) by striking the items relating to part D of title II.

(d) AMENDMENT TO THE ENERGY POLICY AND CONSERVATION ACT.—Section 193(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6259b(1)) is amended by inserting "(considered as a heating season average)" after "mid-October through March.";

(e) FULL CAPACITY.—The President shall—

(f) fill the Strategic Petroleum Reserve establishes in part D of title II of the Energy Policy and Conservation Act (42 U.S.C. 6221 et seq.) to full capacity as soon as practicable;
(2) acquire petroleum for the Strategic Petroleum Reserve by the most practicable and cost-effective means, including the acquisition of crude oil the United States is entitled to receive in kind with royalties from production on Federal lands; and

(3) ensure that the fill rate minimizes impacts on petroleum markets.

(1) EFFECTIVE DATE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Congress a plan—

(1) eliminate any infrastructure impediments that may limit maximum drawdown capability; and

(2) determine whether the capacity of the Strategic Petroleum Reserve on the date of enactment of this section is adequate in light of the increasing consumption of petroleum and the reliance on imported petroleum.

SEC. 146. MODIFIED WATER DELIVERY PROJECT IN THE STATE OF FLORIDA. The Corps of Engineers, using funds made available for modifications or improvements to the National Park Protection and Expansion Act of 1989 (16 U.S.C. 410t–4), may immediately carry out alternative 6D (including paying 100 percent of the cost of the land or an interest in the land) for the purpose of providing a flood protection system for the 8.5 square mile area described in the report entitled “Central and South Florida, Modified Water Delivery Project” in the Valles Caldera National Forest, Florida, 8.5 Square Mile Area, General Reevaluation Report and Final Supplemental Environmental Impact Statement, dated July 2000.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

For necessary expenses of forest and range research 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 land conservation activities and conducting an inter- national campaign against palm weevil, $297,473,000, to remain available until expended.

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.

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(2) acquire petroleum for the Strategic Petroleum Reserve by the most practicable and cost-effective means, including the acquisition of crude oil the United States is entitled to receive in kind with royalties from production on Federal lands; and

(3) ensure that the fill rate minimizes impacts on petroleum markets.

(1) EFFECTIVE DATE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Congress a plan—

(1) eliminate any infrastructure impediments that may limit maximum drawdown capability; and

(2) determine whether the capacity of the Strategic Petroleum Reserve on the date of enactment of this section is adequate in light of the increasing consumption of petroleum and the reliance on imported petroleum.

SEC. 146. MODIFIED WATER DELIVERY PROJECT IN THE STATE OF FLORIDA. The Corps of Engineers, using funds made available for modifications or improvements to the National Park Protection and Expansion Act of 1989 (16 U.S.C. 410t–4), may immediately carry out alternative 6D (including paying 100 percent of the cost of the land or an interest in the land) for the purpose of providing a flood protection system for the 8.5 square mile area described in the report entitled “Central and South Florida, Modified Water Delivery Project” in the Valles Caldera National Forest, Florida, 8.5 Square Mile Area, General Reevaluation Report and Final Supplemental Environmental Impact Statement, dated July 2000.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

For necessary expenses of forest and range research 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 land conservation activities and conducting an international campaign against palm weevil, $297,473,000, to remain available until expended.

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.

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 land conservation activities and conducting an international campaign against palm weevil, $297,473,000, to remain available until expended.

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.
101 and 265: Provided, That no funds shall be expended to decommision any system road until notice and an opportunity for public comment has been provided on each decommisioning project: Provided further, That the Forest Service shall transfer $500,000 appropriated in Public Law 107–63 within the Capital Improvement and Maintenance appropriation, to the State and Private Forestry appropriation, and shall provide these funds in an advance direct lump sum payment to Purdue University for planning and construction of a hardwood tree improvement project, not to exceed $50,000,000, to be derived from funds deposited by State, county, or municipal governments, public school districts, and other private sources for the improvement of wildlife habitat in the United States and its territories and possessions, including statutory authority for the Forest Service, up to $2,250,000 may be advanced by the Forest Service to the National Fish and Wildlife Foundation, without regard to the Department of Agriculture, to provide for construction of facilities at Purdue University in Indiana in this Act, in the amount of $1,100,000 shall be available to the University.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460h–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $415,763,000 to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FOREST LANDS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Tsyuap National Forest, the Angeles National Forest, California; the Sequoia National Forest, California; the Barton, Bain, Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for funds expended associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $5,542,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) the purchase of not to exceed 113 passenger motor vehicles of which 10 will be used primarily for law enforcement purposes and of which 113 shall be for national forest, acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed seven aircraft, and maintenance of aircraft; (2) the purchase of not to exceed seven aircraft, and maintenance of aircraft; (3) purchase of not to exceed two aircraft, in kind trade-in value used to offset the purchase price for the replacement aircraft; (2) service pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) pursuant to section 401(d) of the Act of 1967, as amended (16 U.S.C. 460l–4) to remain available until expended, of which not more than 75 percent shall be available for payments to Del Norte County, California, pursuant to section 13(c) of the Smith River

244, $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects or on or benefiting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for intergovernmental agreements providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the “National Forest System” and “Capital Improvement and Maintenance” accounts and planned to be allocated to activities under the Jobs in the Woods program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and administration shall be as appropriate with the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(c)(2) of Public Law 101–559.

The Secretary of Agriculture is authorized to enter into grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute for Conservation, as well as with local, State, and other public agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, and programs, at the Grey Towers National Historic Landmark: Provided, That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: Provided further, That such gifts may be accepted notwithstanding the fact that they are used or conducted in business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available for payments to the State of New Hampshire for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River
Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not expended $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC’s participation related to the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers. Any funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: Provided, That such amounts shall not exceed $1,000,000.

The Secretary of Agriculture may authorize the use of Forest Service 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. Provided, That no part of such amount shall be available to the Secretary without further appropriation and until expended for maintenance and rehabilitation activities on the Green Mountain National Forest.

The forest may not retransfer and the requested funding transfers. Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: Provided, That such amounts shall not exceed $1,000,000.

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Emergency Fund: Provided further, That $40,130,000 for contract medical care shall remain available for obligation until September 30, 2004: Provided further, That of the funds provided in this Act, not more than $2,500,000 shall be available for the purchase of off-road vehicles and aircraft; purchase of medical equipment; reimbursement for training, technical assistance, or services provided by the Indian Health Service for programs for Native Alaska Native community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1934 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act, and other services to improve or renovate existing facilities, and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or for the redemption, acquisition, transfer, improvement, or management of those functions or activities.

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 Federal Medical Care Recovery Act (42 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. Notwithstanding any other provision of law, any amount received by a tribe or tribal organization through an agreement, or grants or services provided by the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the Department of Housing and Urban Development: Provided further, That not to exceed $1,000,000 shall be used by the Indian Health Service to purchase TRANSM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That notwithstanding the provisions of title III, 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 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 an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That notwithstanding the provisions of title I, or a self-governance contract, the Indian Health Service shall 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 title to quarters shall remain vested with the YKHC: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase administrative, and overhead associated with contracts, grants, and self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act, as amended, prior to or during fiscal year 2003, of which not to exceed $2,500,000 may be used for contract support costs associated with new or expanded Federal travel and transportation. Notwithstanding the provisions of the Indian Self-Determination Act, and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or for the redemption, acquisition, transfer, improvement, or management of those functions or activities for which the appropriation is made or for the redemption, acquisition, transfer, improvement, or management of those functions or activities.

Indian Health Facilities
For construction, repair, maintenance, improvement, and equipment of health and related facilities, including quarters rented or leased; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for related administrative and program direction purposes, to continue or establish, improve or renovate existing facilities for Indians, as authorized by section 7 of the Act of August 5, 1934 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act, and other services to improve or renovate existing facilities, and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or for the redemption, acquisition, transfer, improvement, or management of those functions or activities.

Provided further, That no more than 5 percent may be used by any entity receiving funding for administrative overhead including indirect costs: Provided further, That notwithstanding the provisions 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 land donated by the Tanadgusix 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 maximum rate payable for senior-level positions in the Executive Office of the President for director or administrator, and for Federal travel and transportation. 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 Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services provided by tribes and tribal organizations 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. 450), may be deobligated and rebudgeted to a self-determination contract under title I, or a self-governance agreement under title III of this Act, and thereafter shall remain available to 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 final rule 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 provided by tribes and tribal organizations 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. 450), may be deobligated and rebudgeted to a self-determination contract under title I, or a self-governance agreement under title III of this Act, and thereafter shall remain available to 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 final rule 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 provided by tribes and tribal organizations 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. 450), may be deobligated and rebudgeted to a self-determination contract under title I, or a self-governance agreement under title III of this Act, and thereafter shall remain available to 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 final rule 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 provided by tribes and tribal organizations 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. 450), may be deobligated and rebudgeted to a self-determination contract under title I, or a self-governance agreement under title III of this Act, and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

Funds provided for and described in this Act may be used to support Health Care Improvement Act shall be used to support the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act, and other services to improve or renovate existing facilities, and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or for the redemption, acquisition, transfer, improvement, or management of those functions or activities.

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. 450), may be deobligated and rebudgeted to a self-determination contract under title I, or a self-governance agreement under title III of this Act, and thereafter shall remain available to 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 final rule 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 provided by tribes and tribal organizations 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. 450), may be deobligated and rebudgeted to a self-determination contract under title I, or a self-governance agreement under title III of this Act, and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

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 cost-reimbursable basis. The Indian Health Service shall continue to have the authority to make transfers in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities 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 shall be available for a period of one year after the date of incurrence, and Federal travel and transportation. Notwithstanding the provisions of the Indian Self-Determination Act, and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or for the redemption, acquisition, transfer, improvement, or management of those functions or activities, the appropriation structure set forth in this Act.

The appropriation structure for the Indian Health Service shall also be subject to the following without advance approval of the House and Senate Committees on Appropriations.


OTHER RELATED AGENCIES
OFFICE OF NAVAJO AND HOPI INDIAN RELLOCATION

SALARIES AND EXPENSES
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 appropriations Act are to be obligated only for purposes for which funds are appropriated under Public Law 93–531 for any single Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocation funds may be used to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building: Provided further, That any obligates prior to March 31, 1986, of balances of prior year appropriations, $14,100,000, is rescinded.

REPAIR, RESTORATION AND ALTERATION OF BUILDINGS
For necessary expenses of maintenance, repair, restoration, and alteration of facilities owned or occupied by the Smithsonian Institution, including necessary personnel, $16,000,000, to remain available until expended.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT
PAYMENT TO THE INSTITUTE
For payment to the Institute of American Indian Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $15,000,000, of which $1,000,000 shall be used for the construction of the Library Technology Center.

SMITHSONIAN INSTITUTION
SALARIES AND EXPENSES
INCLUSION OF RESERVATION
For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of science, art, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, assistance, and engineering programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $7,000,000 for the Smithsonian Institution May Navajo reservation or selected a replacement residence of the Navajo reservation or on the land acquired pursuant to Public Law 86–600–610.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT
PAYMENT TO THE INSTITUTE
For payment to the Institute of American Indian Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $15,000,000, of which $1,000,000 shall be used for the construction of the Library Technology Center.

SMITHSONIAN INSTITUTION
SALARIES AND EXPENSES
ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION
None of the funds in this Act for any other Act 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 appropriaiona to the National Zoological Park and of which not to exceed $100,000 is for services as authorized by 5 U.S.C. 3109: Provided, That contracts awarded for the repair or restoration 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 or restoration 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 full scope of the availability of funds found at 48 C.F.R. 52.212–18.

CONSTRUCTION
For necessary expenses for construction of the National Museum of the American Indian, including necessary personnel, $16,000,000, to remain available until expended.

REPAIR, RESTORATION AND ALTERATION OF BUILDINGS
For necessary expenses for repair, restoration and alteration of buildings, grounds and facilities owned or occupied by the Smithsonian Institution, $16,230,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS
OPERATIONS AND MAINTENANCE
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 features of the building and site of the John F. Kennedy Center for the Performing Arts, $2,500,000, 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. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $8,440,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES
NATIONAL ENDOWMENT FOR THE ARTS
GRANTS AND ADMINISTRATION
For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $12,100,000, to be available to the National Endowment for the Arts for the support of 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 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, $10,436,000, to be available to the National Gallery of Art for the purposes of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $109,632,000, to be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 5(h) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS
For necessary expenses to carry out the National Endowment for the Humanities Act of 1965, as amended, $12,100,000, to be available to the National Endowment for the Arts “Matching Grants” account.
such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections (h)(3)(B) and (1)(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated. 

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract application which does not include the text of the Act, pursuant to 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 representation expenses: Provided further, That funds that from nonappropriated sources may be used as necessary for official representation expenses.

COMMISION OF FINE ARTS

For expenses made necessary by the Act establishing a Comission of Fine Arts (40 U.S.C. 104), $1,224,000: Provided, That the Commission is authorized to charge fees to cover the full costs of processing and such fees may be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 965a(e)), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

For necessary expenses for 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 IV of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (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 will be compensated at a rate not to 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 Public Law 106-292 (36 U.S.C. 2301-2310), $28,862,000, of which $1,900,000 for the museum’s repair and rehabilitation program and $1,264,000 for the museum’s exhibitions program shall remain available until expended.

PRESIDIO TRUST

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $31,327,000 shall be available to the Presidio Trust, to remain available until expended.

TITTLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through an administrative or party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in any permit application to a third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in such permit application. The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retenation of third-party contractors.

SEC. 302. No part of any appropriation contained in this Act, 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 kept confidential under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 303. No part of any appropriation contained in this Act, pursuant to 5 U.S.C. 3109, shall be kept confidential under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 304. None of the funds provided in this Act to any department or agency shall be obligated or expended for any personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided.

SEC. 305. Notwithstanding any other provision of law, the appropriation made necessary by the Act establishing a Commission of Fine Arts shall be available to the Commission for the performance of duties.

SEC. 306. None of the funds in this Act may be used to set a fee, or for use timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands 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 Office of the National Trust to implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlbrook Caverns National Monument.

SEC. 308. FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accommodate requests for a patent for any mining or mill site claims located under the general mining laws.

SEC. 309. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accommodate requests for a patent for any mining or mill site claim located in any area of Federal Lands or Federal Water which is subject to a mining claim, mill site claim, or patent for mining or mill site claim which is exempt from the general mining laws.

SEC. 310. Notwithstanding any other provision of law, the appropriation made necessary by the Act establishing a Commission of Fine Arts and the Interior are authorized to limit competition for watershed restoration project contracts as part of the “Jobs in the Woods” Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California, Idaho, Montana, and Alaska to the extent that such individuals and entities are affected by reduced timber harvesting on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designating the economic opportunities for local contractors.

SEC. 311. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to a group if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the directly eligible grant recipient. No grant shall provide payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 312. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be deposited in the general fund of the Treasury to the credit of the appropriate endowment for the purposes specified in such agreement.

SEC. 313. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, programs, or that serve underserved populations.

(b) In this section:

(1) The term “underserved population” means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(c) of the Community Services Block Grant Act (42 U.S.C. 9962(c))) applicable to the family of the size involved.
projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(4) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—
   (1) the Chairperson or, in the case of a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;
   (2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1); (3) the House and Senate Committees on Appropriations—

SEC. 318. Amounts deposited during fiscal year 2002 in the roads and trails fund provided for in the 14th paragraph under the heading “FOREST SERVICE” of the Act of March 4, 1913 (37 Stat. 384; 16 U.S.C. 261), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in 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 enhancing ecological functions, long-term forest productivity, and biophysical integrity. The projects may be completed in any fiscal year. Amounts provided under this section shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to preclude any project from any environmental law.

SEC. 319. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised using a residual value approach that assigns domestic Alaska values for western redcedar, the volume of western redcedar timber available to domestic processors at prices equal to or greater than the log selling price of $22 per thousand board feet in Region 10 sell, in fiscal year 2003, less than the annual allowable cut (AAC) for western redcedar as specified in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold (for purposes of this amendment, a “rolling basis” shall mean that the determination of how much western redcedar is eligible for sale to various markets shall be made at the time each sale is advertised). Western redcedar shall be deemed “surplus to the needs of domestic processors in Alaska” when the timber sale holder has presented to the Forest Service documentation of the inability to sell western redcedar logs from a given sale to domestic Alaska processors at a price equal to or greater than the log selling price stated in the contract. All additional western redcedar volume not sold to Alaska or contiguous States processors that are not determined to be surplus to the needs of domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 320. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—
   (1) displacement of the holder of an authorization to provide fire suppression services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected federal and private sector providers to determine what impacts the project will have. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.
   (2) the return of a commercial recreation service to the operation of the Forest Service for when such services have been provided in the past by a private sector provider, except when—
      (A) the private sector provider fails to bid on such opportunities;
      (B) the private sector provider terminates its relationship with the Forest Service;
      (C) the agency revokes the permit for non-compliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide fire suppression services, the only remedies for acts or omissions committed while fighting fires shall be those provided under the laws of the host country and those remedies shall be the exclusive remedies for any claim arising out of fighting fires in a foreign country. Neither the sending country nor any organization associated with the firefighting shall be subject to any action whatsoever pertaining to or arising out of fighting fires.

(a) a grazing permit issued by the Secretary of the Interior or a grazing permit issued by the Secretary of Agriculture where National Forest System lands are involved that are transferred to the Bureau of Land Management; and fiscal year 2003 shall be renewed under Section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1731), Section 19 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1728), the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.), or, if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 4101 et seq.), the terms and conditions contained in the expired, transferred, or waived permit or lease shall continue in effect under the renewed permit or lease until such time as the Secretary of the Interior or the Secretary of Agriculture as appropriate completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permits or leases may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be construed to alter the statutory authority of the Secretary of the Interior or the Secretary of Agriculture: Provided, That where National Forest System lands are involved and the Secretary of Agriculture has not been provided a direct or indirect lead role in processing the renewal or transfer of such permits or leases, each such 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 suspended or modified in whole or in part, to meet the requirements of applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary of Agriculture's authority.

SEC. 327. In awarding a Federal Contract with funds made available by this Act, the Secretary of Agriculture and the Secretary of the Interior (the "Secretary") may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, disadvantaged and displaced workers in the disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced 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 protection, or fish population monitoring, or habitat restoration or management: Provided further, That the terms "rural community" and "economically disadvantaged" have the same meanings as in section 2374 of Public Law 101–624: Provided further, That the Secretaries shall develop guidance to implement this section: Provided further, That the North American Treaty, proud of the Secretaries of any duty under applicable procurement laws, except as provided in this section.

SEC. 328. Section 601(c)(4)(B) of Public Law 105–83 is amended after ''Not more than'' by adding section 601(c)(4)(B) of Public Law 105–83 is amended after ''Not more than'' by striking ''5 percent'' and inserting ''15 percent''.

SEC. 402. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) in 1748, the Philippines received a grant from a representative of the King of Spain, which grant was recognized and confirmed by Congress in 1858 (11 Stat. 374); and

(2) in 1994, a civil action against the Secretary of the Interior and the Secretary of Agriculture in the United States District Court for the District of Columbia (Civ. No. 1940V03256 Federal surveys of the grant boundaries erroneously excluded certain land within the Cibola National Forest, including a portion of the Sandia Mountain Wilderness.

(b) PURPOSES.—The purposes of this title are—

(1) to establish the T'uf Shur Bien Preservation Trust Area in the Cibola National Forest;

(2) to confirm the status of national forest land and wilderness land in the area while resolving issues associated with conflicting interests referred to in subsection (a)(2) and the opinions of the Solicitor of the Department of the Interior dated December 9, 1968 (34–10696; 96 I.D. 331) and January 19, 2001 (M–37002); and

(3) to provide the Pueblo, the parties to the civil action, and the public with a fair and just settlement of the Pueblo’s claim.

403. DEFINITIONS.

In this title:

(a) AREA.—

(A) IN GENERAL.—The term "Area" means the T'uf Shur Bien Preservation Trust Area, comprised of approximately 9890 acres of land in the Cibola National Forest, as depicted on the map.

(B) EXCLUSIONS.—The term "Area" does not include—

(i) the subdivisions;

(ii) the use area of the Peak Tram Company;

(iii) the crest facilities; or

(iv) the special use permit area.

(b) CREST FACILITIES.—The term "crest facilities" means—

(A) all facilities and developments located on the crest of Sandia Mountain, including the Sandia Crest Electronic Site;

(B) electronic site access roads;

(C) the Crest House;

(D) the upper terminal, restaurant, and related facilities of the Peak Tram Company;

(E) the Crest Observation Area;

(F) parking lots;

(G) restrooms;

(H) the Crest Trail (Trail No. 130);

(i) hang glider launch sites;

(J) the Kivas cabin; and

(K) the land on which the facilities described in subparagraphs (A) through (J) are located and the land extending 100 feet along terrain to the use of each such facility, unless a different distance is agreed to in writing by the Secretary and the Pueblo and documented in the survey of the Area.

(c) MODIFIED USE.—The term "modified use" means a use that—

(A) is occurring in the Area as of the date of enactment of this Act; or

(B) is authorized in the Area after November 1, 1965, but before the date of enactment of this Act.

(d) LA LUZ TRACT.—The term "La Luz tract" means the tract comprised of approximately 31 acres of land owned in fee by the Pueblo and depicted on the map near the crest of the mountain.

(e) LOCAL PUBLIC BODY.—The term "local public body" means a political subdivision of the State of New Mexico (as defined in New Mexico Code 6–5–1).

(f) MAP.—The term "map" means the Forest Service map entitled "T'uf Shur Bien Preservation Trust Area" and dated April 2000.

(g) MODIFIED USE.—

(A) IN GENERAL.—The term "modified use" means an existing use that, at any time after the date of enactment of this Act, is modified or reconstructed but not significantly expanded.

(B) INCLUSIONS.—The term "modified use" includes—

(i) a trail or trailhead being modified, such as to accommodate handicapped access;

(ii) a parking area being reconfigured (but not expanded); and

(iii) a special use authorization for a group recreation use being authorized for a different use area or time period.

(h) NEW USE.—

(A) IN GENERAL.—The term "new use" means—

(i) a use that is not occurring in the Area as of the date of enactment of this Act; and

(ii) an existing use that is being modified so as to be significantly expanded or altered in scope, dimension, or impact on the land, water, air, or wildlife resources of the Area.

(B) EXCLUSIONS.—The term "new use" does not include a use that—

(i) is categorically excluded from documentation requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(ii) is carried out to comply with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(j) PIEDRA LISA TRACT.—The term "Piedra Lisa tract" means the tract comprised of approximately 160 acres of land owned by the Pueblo and depicted on the map.

(k) PUEBLO.—The term "Pueblo" means the Pueblo of Sandia in its governmental capacity.

(l) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(m) SETTLEMENT AGREEMENT.—The term "Settlement Agreement" means the Agreement of Compromise and Settlement dated April 4, 2000, among the United States, the Pueblo, and the Sandia Peak Tram Company.

(n) SPECIAL USE PERMIT.—The term "special use permit" means the Special Use Permit issued December 1, 1993, by the Secretary to Sandia Peak Tram Company and Sandia Peak Ski Company.

(o) SPECIAL USE PERMIT AREA.—

(A) IN GENERAL.—The term "special use permit area" means the land and facilities subject to the special use permit.

(B) INCLUSIONS.—The term "special use permit area" includes—

(i) approximately 46 acres of land used as an aerial tramway corridor; and

(ii) approximately 945 acres of land used as a ski area; and

(iii) the land and facilities described in Exhibit A to the special use permit, including—

(A) the maintenance road to the lower tram tower;

(B) water storage and water distribution facilities; and

(C) 7 helispots.

(p) SUBDIVISION.—The term "subdivision" means—

(A) the subdivision of—

(i) Sandia Heights Addition;

(ii) Sandia Heights North Unit I, II, or 3;

(iii) Sierra Monte;

(iv) Valley View Acres; or

(v) Evergreen Hills; and

(B) any additional plat or privately-owned property depicted on the map.

(q) TRADITIONAL OR CULTURAL USE.—The term "traditional or cultural use" means—

(A) a ceremonial activity (including the placing of ceremonial materials in the Area); and

(B) any use, hunting, trapping, or gathering of plants, animals, wood, water, and other natural resources for a noncommercial purpose.

SEC. 404. T'UF SHUR BIEN PRESERVATION TRUST AREA

(a) ESTABLISHMENT.—The T'uf Shur Bien Preservation Trust Area is established within
the Cibola National Forest and the Sandia Mountain Wilderness as depicted on the map—
(1) to recognize and protect in perpetuity the rights and interests of the Pueblo in and to the Area, as specified in paragraph (1) of this title; and
(2) to preserve in perpetuity the national forest and wilderness character of the Area; and
(3) to recognize and protect in perpetuity the longstanding use and enjoyment of the Area by the public.
(b) Administration and applicable laws. (1) In general.—The Secretary shall continue to administer the Area as part of the National Forest System subject to and consistent with the provisions of this title affecting management of the Area.
(2) Traditional or cultural uses.—Traditional or cultural uses by Pueblo members and members of other federally-recognized Indian tribes shall be continued in the Area under section 405(a)(4) unless such uses are inconsistent with,
(A) the Wilderness Act (16 U.S.C. 1131 et seq.) (including regulations promulgated under that Act) as in effect on the date of enactment of this Act;
(B) applicable Federal wildlife protection laws as provided in section 406(a)(2);
(C) the text and the map and language of this title, except that—
(i) any new use to which the Pueblo objects; or
(ii) mineral production.
(B) none of the following uses shall be permitted in the wilderness portion of the Area:
(i) mining or gambling;
(ii) mining or lumber production;
(iii) timber production;
(iv) any new use to which the Pueblo objects under section 404(e).
(c) Mining claims.—The Area is closed to the location of mining claims under section 2220 of the Revised Statutes (30 U.S.C. 23) (commonly known as the "Mining Law of 1872").
(d) No modification of boundaries.—Establishment of the Area shall not—
(1) grant, sell, lease, convey, exchange, or re- dispose or disestablish the Sandia Mountain Wilderness or the Cibola National Forest; or
(2) modify the existing boundary of the Pueblo grant.
SEC. 405. PUEBLO RIGHTS AND INTERESTS IN THE AREA.
(a) In General.—The Pueblo shall have the following rights and interests in the Area:
(1) Free and unrestricted access to the Area for traditional or cultural uses, to the extent that those uses are not inconsistent with—
(A) the Wilderness Act (16 U.S.C. 1131 et seq.) (including regulations promulgated under that Act) as in effect on the date of enactment of this Act; or
(B) applicable Federal wildlife protection laws as provided in section 406(a)(2). 
(2) Perpetual preservation of the national forest and wilderness character of the Area under this title.
(3) Rights in the management of the Area as specified in section 407, including—
(A) the right to consent to or withhold consent to a new use;
(B) the right to consultation regarding a modified use; and
(C) the right to dispute resolution procedures.
(b) Managerial responsibilities.—The Pueblo shall have the following responsibilities: 
(1) to affect the boundaries of or repeal or disestablish the Sandia Mountain Wilderness; or
(2) to preserve in perpetuity the national forest and wilderness character of the Area under this title.
(c) Exceptions.—Any new use to which the Pueblo objects shall be permitted to the extent that those uses are consistent with,
(A) the Wilderness Act (16 U.S.C. 1131 et seq.) (including regulations promulgated under that Act) as in effect on the date of enactment of this Act; or
(B) applicable Federal wildlife protection laws.
(d) NO CONVEYANCE OF TITLE.—No right, title, and interest by legislative exercise of the power of eminent domain; and
(e) any right to sell, grant, lease, convey, encumber, or exchange land or any interest in land in the Area (and any such conveyance shall not have validity in law or equity);
(f) any right to engage in a use prohibited by section 405(e); or
(g) any right to exclude persons or governmental entities from the Area.
(2) any right to exercise traditional or cultural uses rights as authorized by section 405(a)(4) of the Act; or
(3) any right to dispute resolution procedures.
SEC. 406. LIMITATIONS ON PUEBLO RIGHTS AND INTERESTS IN THE AREA.
(a) Limitations.—The rights and interests of the Pueblo recognized in this title do not include—
(1) any right to sell, grant, lease, convey, encumber, or exchange land or any interest in land in the Area (and any such conveyance shall not have validity in law or equity);
(2) any right to engage in a use prohibited by section 406(e); or
(3) any right to exclude persons or governmental entities from the Area.
(b) Exceptions.—When a person who exercises traditional or cultural uses rights as authorized by section 405(a)(4) of the Act, the Secretary, with the consent of the Pueblo, may proceed to issue the Secretary shall consult with the Pueblo in writing or fail to respond within 30 days after completion of the consultation process, the Secretary shall not proceed with the new use.
(ii) any right to sell, grant, lease, convey, encumber, or exchange land or any interest in land in the Area (and any such conveyance shall not have validity in law or equity); or
(iii) any right to dispute resolution procedures.
(b) Exceptions.—The Secretary shall consult with the Pueblo in writing or fail to respond within 30 days after completion of the consultation process, the Secretary may proceed with the new use after notice and comment process and the environmental analysis.
(B) Final request for consent.—
(i) Request.—Before the Secretary (or a designee) signs a record of decision or decision notice for a proposed new use, the Secretary shall request the consent of the Pueblo.
(ii) Denial of consent.—If the Pueblo denies consent for a new use within 30 days after receipt of the proposed record of decision or decision notice, the new use shall not be authorized.
(iii) Failure to respond.—If the Pueblo fails to respond to the Secretary’s request within 30 days after receipt of the proposed record of decision or decision notice, the new use shall be deemed to have consented to the proposed record of decision or decision notice.
(i) The Secretary may proceed to issue the final record of decision or decision notice.
(3) PUBLIC INVOLVEMENT.—
(A) In general.—With respect to a proposed new use or modified use, the public shall be provided notice of—
(i) the purpose and need for the proposed new use or modified use;
(ii) the role of the Pueblo in the decision-making process; and
(iii) the position of the Pueblo on the proposal.
(B) Court Challenge.—Any person may bring a legal action in the United States District Court for the District of New Mexico to challenge a determination by the Secretary concerning whether a use constitutes a new use or a modified use.
(c) Disputes involving forest service management and pueblo traditional uses.—
(1) In general.—In a case in which the management of the Area by the Secretary conflicts with a traditional or cultural use, if the conflict does not pertain to a new use subject to the provisions described in subsection (2), the process for dispute resolution specified in this subsection shall apply.
(2) Dispute resolution process.—
(A) In general.—In a case of a conflict described in paragraph (1)—
(i) the party identifying the conflict shall notify the other party in writing addressed to the Governor of the Pueblo or the Regional Forester, as appropriate, specifying the nature of the dispute;
(ii) the Governor of the Pueblo or the Regional Forester shall attempt to resolve the dispute for a period of at least 30 days after notice has been provided before bringing a civil action in the United States District Court for the District of New Mexico.

(B) DISPUTES REQUIRING IMMEDIATE RESOLUTION.—In the case of a conflict that requires immediate resolution to avoid imminent, substantial, and irreparable harm—
(i) the party identifying the conflict shall notify the other party and seek to resolve the dispute within 3 days of the date of notification; and
(ii) if the parties are unable to resolve the dispute up to that point—
(I) either party may bring a civil action for immediate relief in the United States District Court for the District of New Mexico; and
(II) the procedural requirements specified in subparagraph (A) shall not apply.

SEC. 408. JURISDICTION OVER THE AREA.

(a) CRIMINAL JURISDICTION.—
(1) IN GENERAL.—Notwithstanding any other provision of law, jurisdiction over crimes committed in the Area shall be allocated as provided in this paragraph.

(2) ADMINISTRATION OF THE PUEBLO.—The Pueblo shall have jurisdiction over an offense committed by a member of the Pueblo or of another federally-recognized Indian tribe who is present in the Area with the permission of the Pueblo under section 405(a)(4).

(3) JURISDICTION OF THE UNITED STATES.—The United States shall have jurisdiction over—
(A) an offense committed in section 1153 of title 18, United States Code, committed by a member of the Pueblo or another federally-recognized Indian tribe;
(B) an offense committed by any person in violation of the laws (including regulations) pertaining to the protection and management of national forests;
(C) enforcement of Federal criminal laws of general applicability; and
(D) any other offense committed by a member of the Pueblo against a person not a member of the Pueblo.

(4) JURISDICTION OF THE STATE OF NEW MEXICO.—The State of New Mexico shall have jurisdiction over an offense under the law of the State committed by a person not a member of the Pueblo.

(5) OVERLAPPING JURISDICTION.—To the extent that allocations of jurisdiction over the Area under paragraphs (2), (3), and (4) overlap, the governments shall have concurrent jurisdiction.

(6) FEDERAL USE OF STATE LAW.—Under the jurisdiction of the United States described in paragraph (3)(D), Federal law shall incorporate any provision defined and punishable under State law that is not so defined under Federal law.

(b) CIVIL JURISDICTION.—
(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the United States, the State of New Mexico, and local public bodies shall have the same civil adjudicatory, regulatory, and taxing jurisdiction over the Area as was exercisable by those entities on the day before the date of enactment of this Act.

(2) JURISDICTION OF THE PUEBLO.—
(A) IN GENERAL.—The Pueblo shall have exclusive adjudicatory jurisdiction over—
(i) a dispute involving only the members of the Pueblo;
(ii) a civil action brought by the Pueblo against a member of the Pueblo;
(iii) a civil action brought by the Pueblo against a member of another federally-recognized Indian tribe for a violation of an understanding between the Pueblo and the other tribe regarding use of or access to the Area for traditional or cultural uses.

(B) REGULATORY JURISDICTION.—The Pueblo shall have regulatory jurisdiction over the Area, except that the Pueblo shall have exclusive authority to—
(i) regulate traditional or cultural uses by the members of the Pueblo and administer access to the Area by other federally-recognized Indian tribes for traditional or cultural uses, to the extent that such regulation is consistent with this title; and
(ii) regulate hunting and trapping in the Area by members of the Pueblo, to the extent that the hunting and trapping are traditional or cultural uses, except that such hunting and trapping outside of that portion of the Area in sections 13, 14, 23, 24, and the northeast quarter of section 6 in T12N, R4E, and section 24, T12N, R5E, New Mexico, shall be regulated by the Pueblo in a manner consistent with the regulations of the State of New Mexico concerning types of techniques and practices used for hunting and trapping to trails and residences.

(C) TAXING JURISDICTION.—The Pueblo shall have no authority to impose taxes within the Area.

(3) STATE AND LOCAL TAXING JURISDICTION.—The State of New Mexico and local public bodies shall have no authority within the Area to tax the uses or the property of the Pueblo, members of the Pueblo, or members of other federally-recognized Indian tribes for traditional or cultural uses, except that hunting and trapping is related to traditional or cultural uses, to the extent that such hunting and trapping outside of that portion of the Area in sections 13, 14, 23, 24, and the northeast quarter of section 6 in T12N, R5E, N.M.P.M., Sandoval County, New Mexico, shall be regulated by the Pueblo in a manner consistent with the regulations of the State of New Mexico concerning types of techniques and practices used for hunting and trapping to trails and residences.

SEC. 409. SUBDIVISIONS AND OTHER PROPERTY INTERESTS.

(a) SUBDIVISIONS.—
(1) IN GENERAL.—The subdivisions are excluded from the Area.

(2) JURISDICTION.—
(A) IN GENERAL.—The Pueblo shall have no civil or criminal jurisdiction for any purpose, including adjudicatory, taxing, zoning, regulatory or any other form of jurisdiction, over the subdivisions and property interests therein and the State and local taxing jurisdiction of the Pueblo shall not apply to the subdivisions.

(B) STATE JURISDICTION.—The jurisdiction of the State of New Mexico and local public bodies over the subdivisions and property interests therein shall continue in effect, except that on application of the Pueblo a tract comprised of approximately 35 contiguous, nonsubdivided acres in the northern section of Everett Hills owned in fee by the Pueblo at the time of enactment of this Act, shall be transferred to the United States and held in trust for the Pueblo by the United States and administered by the Secretary of the Interior.

(3) LIMITATIONS ON TRUST LAND.—Trust land described in paragraph (2)(B) shall be subject to all limitations on use pertaining to the Area contained in this title.

(b) PIEDRA LISA.—
(1) IN GENERAL.—The Piedra Lisa tract is excluded from the Area.

(2) DECLARATION OF TRUST TITLE.—The Piedra Lisa tract—
(A) shall be transferred to the United States;
(B) is declared to be held in trust for the Pueblo by the United States; and
(C) shall be administered by the Secretary of the Interior subject to all limitations on use pertaining to the Area contained in this title.

(3) STATE AND LOCAL TAXING JURISDICTION.—The Pueblo shall have no authority to impose taxes within the Area.

(c) EVERGREEN HILLS ACCESS.—The Secretary shall ensure that Forest Service Road 333D, as depicted on the map, is maintained in an adequate condition in accordance with section 1232(a) of the Alaska National Interest Lands Conservation Act (46 U.S.C. 3210(a)).

(d) SPECIAL USE PERMIT AREA.—
(1) IN GENERAL.—The special use permit land and facilities, the land subject to that amendment and the land described in the special use permit, and the facilities are located is excluded from the Area.

(2) JURISDICTION.—
(A) IN GENERAL.—The Pueblo shall have no civil or criminal jurisdiction for any purpose, including adjudicatory, taxing, zoning, regulatory or any other form of jurisdiction, over the land described in the special use permit, and the Pueblo shall not apply to that land.

(B) PREEXISTING STATUS.—The preexisting jurisdictional status of that land shall continue in effect.

(3) AMENDMENT TO PLAN.—In the event the special use permit, during its existing term or any future terms or extensions, requires amendment to include other land in the Area necessary to accomplish the existing or any future replacement tram line, associated structures, or facilities, the land subject to that amendment shall thereafter be excluded from the Area and shall have the same status under this title as the land currently described in the special use permit.

(4) LAND DEDICATED TO AERIAL TRAMWAY AND RELATED USES.—Any land dedicated to aerial tramway and related uses and associated facilities that are excluded from the special use permit through expiration, termination of the operating agreement or otherwise modified without the Pueblo's written consent, but road maintenance to the rights-of-way for roads identified on the map in order to provide for public access to the subdivisions, the special use permit land and facilities, the other leasehold and easement rights and interests of the Sandia Peak Tram Company and its affiliates, the Sandia Heights South Subdivision and the Area—
(i) a right-of-way for Tramway Road;
(ii) a right-of-way for Juniper Hill Road North;
(iii) a right-of-way for Juniper Hill Road South;
(iv) a right-of-way for Sandia Heights Road; and
(v) a right-of-way for Juan Tabo Canyon Road (Forest Road No. 333).

(5) CONDITIONS.—The special use permit land and facilities shall be subject to the following conditions:

(B) rights-of-way for any purpose other than roads without the Pueblo's written consent;

(C) from as provided in the Settlement Agreement, existing rights-of-way or leasehold.
SEC. 410. EXTINCTION OF CLAIMS.

(a) IN GENERAL.—Except for the rights and interests in and to the Area specifically recognized in sections 404, 405, 407, 408, and 409, all Pueblo claims to right, title and interest of any kind, including aboriginal claims, in and to land within the Area, and to any other property interests therein (except for land owned in fee by the Pueblo as of the date of enactment of this Act), as well as related boundary, survey, trespass, and monetary damage claims, are permanently extinguished. The United States shall be confirmed.

(b) SUBDIVISIONS.—Any Pueblo claims to right, title and interest of any kind, including aboriginal claims, in and to the subdivisions and property interests therein (except for land owned in fee by the Pueblo as of the date of enactment of this Act), as well as related boundary, survey, trespass, and monetary damage claims, are permanently extinguished.

(c) SPECIAL USE AND CREST FACILITIES AREAS.—Any Pueblo right, title and interest of any kind, including aboriginal claims, and to the subdivisions and property interests therein (except for land owned in fee by the Pueblo as of the date of enactment of this Act), as well as related boundary, survey, trespass, and monetary damage claims, are permanently extinguished in and to—

(1) the land described in the special use permit; and

(2) the land on which the crest facilities are located.

(d) PUEBLO AGREEMENT.—As provided in the Settlement Agreement, the Pueblo has agreed to convey to the Secretary of the Interior, a portion of the land described therein for the exchange of National Forest land, and to cooperate with the Secretary in the exchange of National Forest land to the Pueblo.

SEC. 412. JUDICIAL REVIEW.

(a) ENFORCEMENT.—A civil action to enforce the provisions of this title may be brought to the extent permitted under chapter 7 of title 5, United States Code. Judicial review shall be based on the administrative record and subject to the applicable standard of review set forth in section 706 of title 5, United States Code.

(b) WAIVER.—A civil action may be brought against the Pueblo for declaratory judgment or injunctive relief, in connection with any money damages, including costs or attorney's fees, may be imposed on the Pueblo as a result of such judicial action.

(c) VENUE.—Venue for any civil action provided for in this section, as well as any civil action to contest the constitutionality of this title, shall lie only in the United States District Court for the District of New Mexico.

SEC. 413. PROVISIONS RELATING TO CONTRIBUTIONS AND LAND EXCHANGE.

(a) CONTRIBUTIONS.—The Secretary may accept contributions from the Pueblo, or from other persons or governmental entities—

(1) to perform and complete a survey of the Area; or

(2) to carry out any other project or activity for the benefit of the Area in accordance with this title.

(b) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete the survey of the Area under paragraph (1)(A).

(c) LAND EXCHANGE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, after consultation with the Pueblo, the Secretary shall, in accordance with section 406(b) of the Federal Land Policy and Management Act (43 U.S.C. 1716(b)), accept a land exchange offer for the purchase of—

(A) the right-of-way established pursuant to section 409(b)(3)(A); and

(B) the conservation easement established by the Secretary as a result of the exchange.

(2) ACCEPTANCE OF PAYMENT.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act (43 U.S.C. 1716(b)), the Secretary may either make or accept a cash payment in exchange for the right-of-way or a conservation easement, in excess of 5 percent of the total value of the land or interests transferred out of Federal ownership.

(d) TREATMENT OF LAND EXCHANGED OR CONVEYED.—All land exchanged or conveyed to the Pueblo is declared to be held in trust for the Pueblo by the United States and added to the Pueblo's Reservation subject to all existing and outstanding rights and shall remain in its natural state and shall not be subject to commercial development of any kind. Land exchanged or conveyed to the Forest Service shall be subject to limitations on use pertaining to the Area under this title.

(e) FAILURE TO MAKE OFFER.—If the land exchange offer is not made by the date that is 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives, a report explaining the reasons for the failure to make the offer including an assessment of the need for any additional legislation that may be necessary for the exchange. If it is not necessary, the Secretary, consistent with this section, should proceed with the exchange pursuant to this Act.

(f) LAND ACQUISITION AND OTHER COMPENSATION.—

(1) IN GENERAL.—The Secretary may acquire land owned by the Pueblo within the Evergreen Hills Subdivision in Sandoval County or any other privately held land inside of the exterior boundaries of the Area. The boundaries of the National Forest may be adjusted to encompass any land acquired pursuant to this section.

(2) PIEDRA LISA TRACT.—Subject to the availability of appropriations, the Secretary shall compensate the Pueblo for the fair market value of—

(A) the right-of-way established pursuant to section 409(b)(3)(A); and

(B) the conservation easement established by the limitations on use of the Piedra Lisa tract pursuant to section 406(b)(2).

(g) REIMBURSEMENT OF CERTAIN COSTS.—

(1) IN GENERAL.—The Pueblo, the County of Bernalillo, New Mexico, and any person that owns or has owned property inside the exterior boundaries of the Area as designated on the map, and who has incurred actual and direct costs as a result of participating in the exchange of the land owned by the Pueblo of Sandia and Babbitt, Civ. No. 94-2624 HHG (D.D.C.), or other proceedings directly related to resolving the issues litigated in that case shall be entitled to reimbursement of money damages, including costs or attorney's fees, incurred in connection with this section.

(2) TREATMENT OF INTERESTS.—Any reimbursement provided in this subsection shall be in lieu of that which might otherwise be available pursuant to the Equal Access to Justice Act (28 U.S.C. 2412).
in this section out of any money not otherwise appropriated as provided in advance in appropriating Acts.

(4) APPLICATIONS.—Not later than 180 days after the date of enactment of this Act, applications for reimbursement shall be filed with the Department of the Treasury, Financial Management Service, Washington, D.C.

(5) MAXIMUM AMOUNT.—No party shall be reimbursed in excess of $750,000 under this section, and the total amount reimbursed in accordance with this section shall not exceed $3,000,000.

SEC. 414. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title, including sums necessary for the Forest Service to carry out responsibilities of the Forest Service in accordance with section 413(c).

SEC. 415. EFFECTIVE DATE.

The provisions of this title shall take effect immediately on enactment of this Act.

TITLE V—OTTAWA NATIONAL WILDLIFE REFUGE COMPLEX

SEC. 501. SHORT TITLE.

This title may be cited as the “Ottawa National Wildlife Refuge Complex Expansion and Detroit River International Wildlife Refuge Expansion Act”.

SEC. 502. DEFINITIONS.

In this title:


(2) REFUGE COMPLEX.—The term “Refuge Complex” means the Ottawa National Wildlife Refuge Complex and the lands and waters in the complex, as described in the document entitled “The Comprehensive Conservation Plan for the Ottawa National Wildlife Refuge Complex” and dated September 6, 2002.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(4) WET BASIN.—

(A) IN GENERAL.—The term “wet basin” means the western basin of Lake Erie, consisting of the watersheds of Lake Erie extending from the watersheds of the Lower Detroit River in the State of Michigan to and including Sandusky Bay and the watersheds of Sandusky Bay in the State of Ohio.

(B) INCLUSION.—The term ‘western basin’ includes the Bass Island archipelago in the State of Ohio.

SEC. 503. EXPANSION OF BOUNDARIES.

(a) REFUGE COMPLEX BOUNDARIES.—

(1) EXPANSION.—The boundaries of the Refuge Complex are expanded to include land and water in the State of Ohio from the eastern boundary of Maumee Bay State Park to the eastern boundary of the Darby Unit (including the Bass Island archipelago), as depicted on the map entitled “Ottawa National Wildlife Refuge Complex Expansion and Detroit River International Wildlife Refuge Expansion Act” and dated September 6, 2002.

(2) AVAILABILITY OF MAP.—The map referred to in paragraph (1) shall be available for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) BOUNDARY REVISIONS.—The Secretary may make such revisions of the boundaries of the Refuge Complex as the Secretary determines to be appropriate—

(1) to facilitate the acquisition of property within the Refuge Complex; or

(2) to carry out this title.

(c) ACQUISITION.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may acquire by donation, purchase with reimbursement, or otherwise, real property, including land and water, and interests in land and water (including conservation easements), within the boundaries of the Refuge Complex.

(2) CONSENT.—No land, water, or interest in land or water described in paragraph (1) may be acquired by the Secretary without the consent of the owner thereof, unless, in the case of an administrative jurisdiction over any Federal property that is located within the boundaries of the Refuge Complex and under the administrative jurisdiction of an agency of the United States other than the Department of the Interior, may, with the concurrence of the head of the administering agency, be transferred without consideration to the Secretary for the purpose of this title.

(d) TRANSFERS FROM OTHER AGENCIES.—

Admistrative jurisdiction over any Federal property that is located within the boundaries of the Refuge Complex and under the administrative jurisdiction of any agency of the United States other than the Department of the Interior, may, with the concurrence of the head of the administering agency, be transferred without consideration to the Secretary for the purpose of this title.

STUDY OF ASSOCIATED AREA.

(1) IN GENERAL.—The Secretary, acting through the Director of the United States Fish and Wildlife Service, shall conduct a study of fish and wildlife, human population, and aquatic and terrestrial communities in and around the 2 dredge spoil disposal sites that are—

(A) referred to by the Toledo–Lucas County Port Authority as “Port Authority Facility Number Three” and “Grassy Island”, respectively; and

(B) located within Toledo Harbor near the mouth of the Maumee River.

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(A) complete the study under paragraph (1); and

(B) submit to Congress a report on the results of the study.

SEC. 504. EXPANSION OF INTERNATIONAL REFUGES.

The southern boundary of the International Refuge is expanded south to include additional land and water in the State of Michigan located east of Interstate Highway 75, extending from the southern boundary of Sterling State Park to the Ohio State boundary, as depicted on the map referred to in section 5(a).

SEC. 505. ADMINISTRATION.

(a) REFUGE COMPLEX.—

(1) IN GENERAL.—The Secretary shall administer all federally owned land, water, and interests in land and water that are located within the boundaries of the Refuge Complex in accordance with—

(A) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 666d et seq.); and

(B) this title.

(2) ADDITIONAL AUTHORITY.—The Secretary may use all authority available to the Secretary for the conservation of fish and wildlife, and the provision of opportunities for fish- and wildlife-dependent recreation, as the Secretary determines to be appropriate to carry out this title.

(b) ADDITIONAL PURPOSES.—In addition to the purposes of the Refuge Complex under other laws, regulations, executive orders, and comprehensive conservation plans, the Refuge Complex shall be managed—

(1) to strengthen and complement existing resource management, education, and recreation programs and activities at the Refuge Complex in a manner consistent with the primary purposes of the Refuge Complex;

(2) to protect breeding, wintering habitats for migratory birds and other wildlife; and\n
(3) to facilitate partnerships among the United States Fish and Wildlife Service, Canadian provincial and territorial governments, and private organizations and individuals.

(4) To promote public awareness of the resources of the western basin; and

(5) to advance the collective goals and priorities that—

(A) were established in the report entitled “Great Lakes Strategy 2002—A Plan for the New Millennium”, developed by the United States Policy Committee, comprised of Federal agencies responsible for the United States Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, the United States Geological Survey, the Forest Service, and the Great Lakes Fishery Commission; and

(B) include the goals of cooperating to protect and restore the chemical, physical, and biological integrity of the Great Lakes basin ecosystem.

(c) PRIORITY USES.—In providing opportunities for compatible fish- and wildlife-dependent recreation, the Secretary, in accordance with paragraphs (3) and (4) of section 4(a) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 666d(a)), shall ensure, to the maximum extent practicable, that hunting, trapping, fishing, wildlife observation and photography, and environmental education and interpretation are the priority public uses of the Refuge Complex.

(d) COOPERATIVE AGREEMENTS REGARDING NON-FEDERAL LAND.—To promote public awareness of the resources of the western basin and encourage public participation in the conservation of those resources, the Secretary may enter into cooperative agreements with the State of Ohio or Michigan, any political subdivision of the State, or any person for the management, in a manner consistent with this title, of land that—

(1) is owned by the State, political subdivision, or person; and

(2) is located within the boundaries of the Refuge Complex.

(e) USE OF EXISTING GREENWAY AUTHORITY.—The Secretary shall encourage the State of Ohio to use authority under the recreational trails program under section 606 of the United States Code, to provide funding for acquisition and development of trails within the boundaries of the Refuge Complex.

SEC. 506. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary—

(1) to acquire land and water within the Refuge Complex under section 503(c);

(2) to carry out the study under section 503(e); and

(3) to develop, operate, and maintain the Refuge Complex.

This division may be cited as the ‘‘Department of the Interior and Related Agencies Appropriations Act, 2003’’.
For necessary expenses of the Employment Adjustment Act, the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act, $2,463,000,000 plus reimbursements, and the purchase of real property for demonstration projects that provide assistance to new entrants in the workforce and incumbent on the period July 1, 2003 through June 30, 2004, of which $1,045,465,000 is available for obligation for the period April 1, 2003 through June 30, 2004, including $1,000,965,000 to carry out chapter 4 of the Workforce Investment Act and $44,500,000 to carry out section 169 of such Act; and of which $27,550,000 is available for the period July 1, 2003 through June 30, 2004 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers: Provided, That $9,098,000 shall be for carrying out section 172 of the Workforce Investment Act: Provided further, That an amount not to exceed $25,000,000 is available for the demonstration of law or related regulation, $80,770,000 for further, That, notwithstanding any other provision of law, $2,657,084,000 plus reimbursements, of which $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration of the Unemployment Trust Fund: Provided further, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to support the operations of the Federal-State unemployment insurance programs, may be obligated in contracts, grants or agreements with non-State entities: Provided further, That funds available in the Federal-State Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A-47.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 901(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986, and for non-repayable advances to the Unemployment Trust Fund as authorized by section 901 of the Social Security Act, and to the “Federal unemployment insurance” account, 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 shall be charged, and for such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Pension and Welfare Benefits Administration, $177,044,000.
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 funds for the Occupational Safety and Health Administration, $334,000 for transfer to the Occupational Safety and Health (the "Act"), which grants shall be no less than 90 percent of the costs of State occupational safety and health programs, which programs are approved as required under section 114(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2003: Provided further, That if those funds transferred to this account from the Postal Service or any other funds are insufficient, such sums may be made available from any other funds to which such sums may be made available to the Secretary as follows: (1) to provide, as authorized by such Act, for such investigation authorized by such Act; and (2) to provide, as authorized by such Act, for such investigation authorized by such Act.

For necessary expenses to administer the Mine Safety and Health Administration, $462,314,000, including $12,927,000 for core communications redesign, $702,000; and (4) the remaining funds shall be paid into the Treasury as miscellaneous receipts: Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice or claim, such identifying information (including Social Security account number) as such regulations may prescribe.

To provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies; (2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found; (3) to take any action authorized by such Act with respect to imminent dangers; (4) to take any action authorized by such Act with respect to health hazards; (5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one 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 Bureau of Labor Statistics, $47,015,000.

For necessary expenses for the Mine Safety and Health Administration, $271,841,000, 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 up to $2,000,000 for mine rescue and recovery activities; and including not to exceed $575,000 for expenditures relating to the research and development of technologies to detect mine voids, through contracts, grants, or other arrangements, to remain available until expended; in addition, not to exceed $7,292,000, which shall be used to conduct and fund for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with State and local governments, and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operation training at the National Training Center.

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $415,855,000, together with not to exceed $72,929,000, which may be expended from the Unemployment Trust Fund; and $2,570,000 which shall be available for obligation for the period July 1, 2003 through September 30, 2003, and for the following amount shall be available from the Unemployment Trust Fund: $6,600,000 to be used to fund the mass layoff statistics program under section 15 of the Wagner- Peyser Act (29 U.S.C. 491-2).

For necessary expenses for the Office of Disability Employment Policy, $38,000,000, including $38,000,000 for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants for the objective of eliminating barriers to the training and employment of people with disabilities, $47,015,000.

For necessary expenses for the Office of Disability Employment Policy, $38,000,000, including $38,000,000 for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants for the objective of eliminating barriers to the training and employment of people with disabilities, $47,015,000.

For necessary expenses for the Office of Disability Employment Policy, $38,000,000, including $38,000,000 for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants for the objective of eliminating barriers to the training and employment of people with disabilities, $47,015,000.
VETERANS EMPLOYMENT AND TRAINING

Not to exceed $191,537,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of the 38 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and Public Law 103-353, and which shall be available for obligation by the Secretary of Labor to conduct job training of the local workforces of veterans, and which shall remain available until expended to carry out the provisions of Public Law 104-73: Provided further, That of the funds made available under this heading, $250,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen’s Disease Center: Provided further, That in any fiscal year, the amounts authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full 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 to carry out that Act: Provided further, That fees 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 to carry out that Act: Provided further, That no more than $50,000,000 is available for carrying out the provisions of Public Law 103-333, and which shall be available for the period July 1, 2003 through June 30, 2004.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General for investigating and enforcing the provisions of the Inspector General Act of 1978, as amended, $56,659,000, together with not to exceed $5,597,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the personal expenses of an individual, except for direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

SEC. 102. None of the funds derived from 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 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. 12121, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested in part, wholly or in part, by forced or indentured child labor in industries and host countries already identified by the U.S. 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 where Denali Commission projects will be constructed.

SEC. 105. (a) Section 216(d)(6)(C) of the Social Security Act (42 U.S.C. 1316(d)(6)(C)) is amended by inserting “Kentucky,” after “Illinois,”.
any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment: Provided further, That none of the funds availed are available for pay or pay control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control: Provided further, That the Director may not make or enter into any transfers under authority of Public Law 101–302, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer: Provided further, That not to exceed $15,000,000 may be available for making grants under section 1509 of the Public Health Service Act, with such grants to include a long-term ground lease for construction on non-federal land, to support the construction of a replacement laboratory in the Fort Collins, Colorado area: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the work: Provided further, That the solicitation and contract shall contain the clause “availability of funds” found at 48 CFR 52.232-18.

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 and blood products, $2,820,011,000.

NATIONAL INSTITUTE OF DENTAL AND CEREBRAL RESEARCH
For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $374,067,000.

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, $1,637,347,000.

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, $1,456,093,000.

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, $3,727,472,000: Provided, That $100,000,000 may be made available to International Assistance Programs, “Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis” grants, of which $90,000,000 shall be for extramural facilities construction grants to enhance the Nation’s capability to do research on biological and other agents: Provided further, That up to $10,000,000 shall be for extramural facilities construction grants to enhance the Nation’s capability to do research on biological and other agents.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES
For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,853,584,000.

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 sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $57,238,000.

NATIONAL INSTITUTE OF AGING
For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,000,099,000.

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, $469,324,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS
For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $372,805,000.

NATIONAL INSTITUTE OF NURSING RESEARCH
For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $131,438,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM
For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $418,733,000.

NATIONAL INSTITUTE ON DRUG ABUSE
For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $968,013,000.

NATIONAL INSTITUTE OF MENTAL HEALTH
For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,661,636,000.

NATIONAL INSTITUTE OF NURSING RESEARCH
For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $468,037,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING
For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, $283,100,000.

NATIONAL CENTER FOR RESEARCH RESOURCES
For carrying out section 301 and title IV of the Public Health Service Act with respect to general research support grants, $1,761,272,000: 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, $114,149,000.

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
HEALTH SERVICES ADMINISTRATION
For carrying out the activities at the John E. Fogarty International Center, $60,880,000.

NATIONAL LIBRARY OF MEDICINE
For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical 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 provisions 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 and the National Information Center on Health Services Research and Health Care Technology and related health services.

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 official use only: Provided further, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer: Provided further, That the Director may use not to exceed 5 percent of the amounts made available under section 1509 of the Public Health Service Act with respect to injury prevention and control at the Centers for Disease Control and Prevention to support the construction or reconstruction of a replacement laboratory in the Fort Collins, Colorado area: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the work: Provided further, That the solicitation and contract shall contain the clause “availability of funds” found at 48 CFR 52.232-18.

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 and blood products, $2,820,011,000.

NATIONAL INSTITUTE OF DENTAL AND CEREBRAL RESEARCH
For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $374,067,000.

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, $1,637,347,000.

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, $1,456,093,000.

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, $3,727,472,000: Provided, That $100,000,000 may be made available to International Assistance Programs, “Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis” grants, of which $90,000,000 shall be for extramural facilities construction grants to enhance the Nation’s capability to do research on biological and other agents: Provided further, That up to $10,000,000 shall be for extramural facilities construction grants to enhance the Nation’s capability to do research on biological and other agents.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES
For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,853,584,000.

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.
Public Health Service Act to carry out data collection activities supporting the national Annual Household Survey.

AGENCIES FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title I of the Social Security Act, $308,645,000; in addition, amounts received from Freedom of Information Act requests, and intergovernmental agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended.

CENETRS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act; $112,090,218,000, to remain available until expended.

For making, after May 31, 2003, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2003 for uncompensated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of Puerto Rico and the Insular Areas to be transferred to and available for title XIX of the Social Security Act for the first quarter of fiscal year 2004, $51,861,386,000, to remain available until expended.

For making, after May 31, 2003, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2003 for uncompensated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of Puerto Rico and the Insular Areas to be transferred to and available for title XIX of the Social Security Act for the first quarter of fiscal year 2004, $51,861,386,000, to remain available until expended.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 1303(c) and 111(d) of the Social Security Amendment of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 220(g) of the Social Security Act, $81,462,700,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVII, 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 amounts transferred to and available for the Federal Hospital Insurance Fund under section 1886 and not to exceed amounts transferred to and available for the Supplementary Medical Insurance Trust Fund under sections 1857(d)(2)(A) and 1857(f)(2)(A) of the Social Security Act and the Federal Supplementary Medical Insurance Trust Funds, as provided by section 220(g) of the Social Security Act, and with such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1991, $1,700,000,000.

REFUGEE AND ENTRANCE ASSISTANCE

For refugee and entrance assistance and refugee assistance activities authorized by title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–320), $432,724,000: Provided, That funds appropriated pursuant to section 431(a) of the Immigration and Nationality Act for fiscal year 2003 shall be available for the costs of assistance provided and other activities through September 30, 2005: Provided further, That funds appropriated pursuant to section 431(a) of the Immigration and Nationality Act for fiscal year 2003 shall be available for the costs of assistance provided and other activities through September 30, 2005: Provided further, That $19,120,000 shall be available to carry out the Trafficking Victims Protection Act of 2000.

For carrying out section 5 of the Torture Victims Relief Act of 1998 (Public Law 105–320), sections 40155, 40221, and 40241 of Public Law 103–322, and section 126 and titles IV and V of Public Law 101–458, $8,646,884,000, of which $43,000,000, to remain available until September 30, 2004, shall be for grants to States for fiscal year 2003 for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670–679) and may be made for adoption incentives for fiscal year 2002, and of which $6,667,533,000 shall be for making payments under the Head Start Act, of which $1,400,000,000 shall become available October 1, 2003, $1,700,000,000 shall become available November 1, 2003, and $7,500,000 shall be for section 680(a)(2) of the Community Services Block Grant Act, as amended; Provided: That, in addition to amounts provided hereunder, $6,000,000 shall be available for amounts available under section 241 of the Social Security Act to carry out the provisions of the Community Services Act, and $500,000,000 shall be available for amounts appropriated under section 680(a)(3)(B) of the Community Services Block Grant Act, as amended; Provided further, That, in addition to amounts approved hereunder, $1,000,000 shall be available for amounts approved under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the future fiscal year for expenditure by such entity consistent with program purposes; Provided further, That the Secretary shall establish procedures regarding the disposition of intangible property which permits grants funds, or intangible assets acquired with funds authorized under section 680(a)(3)(B) of the Community Services Act, as amended, to become the sole property of such grantee after a period of not more than 12 years after the end of the grant for purposes consistent with section 680(a)(3)(B) of the Community Services Act, as amended; Provided further, That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act...
Grant Act, as amended, shall be available for finan-
cing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided Further, That $93,000,000 is for the trans-
fer of funds.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act and title III of the Pub-
lic Health Service Act, $2,499,000. Provided, That in addition to amounts provided herein, $15,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out national health or human services evaluation activities: Provided further, That the expenditure of any funds available under section 241 of the Public Health Service Act are subject to the re-
quirements of section 205 of this Act.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, $11,885,000 shall be for activities speci-
cified under section 388(b)(2)(C) of which $10,157,000 shall be for prevention service demonstra-
tion grants under section 519(b)(2) of title V of the Social Security Act, as amended, with-
out regard to the limitation of section 210(c)(4) of said title XX: Provided further, That of this amount, $50,000,000 is for minority AIDS prevention and treatment activities; and $50,000,000 shall be for an Information Tech-
nology Security and Innovation Fund for Dep-
artment-wide activities involving cybersecurity, information technology security, and related in-
novation projects.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspect-
general in carrying out the provisions of the Inspector General Act of 1978, as amended, and the Inspector General Act of 1984, $7,347,000. Provided, That, of such amount, necessary sums are available for providing pro-
ductive services to the Secretary and investiga-
tions and for a continuing support of an organi-
zation which non-payment is a Federal offense under title 18 U.S.C. 228.
capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity’s enrollees); Provided further, That nothing in this section shall be construed to change, alter, or renovate facilities in foreign countries, to carry out programs supported by this appropriation notwithstanding 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 Department of State to assure that planned activities are within the legal strictures of the State Department Basic Authorities Act of 1956, as amended, and the applicable parts of title 22, United States Code.

SEC. 216. The Division of Federal Occupational Health may utilize personal services contracts, administrative, and occupational health professionals.

SEC. 217. (a) Section 311 of the Older Americans Act of 1965 (42 U.S.C. 309a) is amended—

(1) in subsection (b)—

(A) in the caption, by striking “of cash or commodities” and inserting “and payment”; and

(B) in paragraph (1)—

(i) by striking “The Secretary of Agriculture shall allot and provide, in accordance with this section, to or on behalf of each State agency”; and

(ii) by striking “each grantee” and inserting “to or on behalf of each grantee”;

and

(2) in subsection (c), by striking “and Human Services”

SEC. 218. Notwithstanding section 409B(c) of the Public Health Service Act, there are appropriated an additional $20,000,000, to remain available until expended for the purchase and activities authorized under sections 831, 846, 846A, 851, 852, and 855 of such Act (as amended by the Nurse Reinvestment Act (Public Law 200-205).

SEC. 219. Grants for Purchase of Ultrasound Equipment. The Secretary of Health and Human Services may make grants for the purchase of ultrasound equipment. Such ultrasound equipment shall be used by the recipients of such grants to provide, under the direct supervision of a licensed physician, free ultrasound examinations to pregnant women needing medical services: Provided, That the Secretary shall give priority in accordance with such grants to adhere to professional guidelines for counseling pregnant women, whereby a pregnant woman is fully informed in a nonbiased manner about all options.

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 41A of the Higher Education Act of 1965, $13,178,400,000 of which $2,354,199,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004, and of which $8,827,301,000 shall become available on October 1, 2003, and shall be for Federal property payments under section 8002, and $8,000,000, to 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 1123: Provided further, That up to $3,900,000 of these funds shall be available to the Secretary of Education on 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 1124: Provided further, That $1,405,999,000 shall be available for targeted grants under section 1125: Provided further, That $1,405,999,000 shall be available for education finance incentive grants under section 112A: 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, $1,176,500,000 of which $1,012,500,000 shall be for basic support payments under section 8003(b), $52,900,000 shall be for payments for children with disabilities under section 8004(b), $45,000,000 shall be for the construction and renovation of schools and facilities under section 8007 and shall remain available through September 30, 2004, and of which $57,000,000 shall be for Federal property payments under section 8002, and $8,000,000, to remain available until expended, shall be for facilities maintenance under section 8006.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement programs authorized by titles II, IV, V, VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 (“ESEA”); part B of title VII of the Elementary and Secondary Education Act of 1965, $3,818,517,000, which $3,818,517,000 shall become available on July 1, 2003, and remain available until expended, shall be for facilities maintenance under section 8006.
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. Of the 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 of 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, part B, of title IV, and part E of title VI, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local educational agencies in which the local environment has been disrupted due to a violent or traumatic crisis: 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 $773,661,000 shall be available to carry out part D of title V of the ESEA.

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, $123,368,000.

ENGLISH LANGUAGE ACQUISITION

For carrying out title III, part A of the ESEA, $890,000,000, 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 $3,353,232,000 shall become available for obligation on July 1, 2003, and shall remain available through September 30, 2004, and of which $6,072,000,000 shall become available on October 1, 2003, and shall remain available through September 30, 2004, for academic year 2003–2004: Provided, That $9,500,000 shall be for Recording for the Blind and Dyslexic to support the development, production, and distribution of educational materials: Provided further, That $1,500,000 shall be for the recipient of funds provided by Public Law 105–78 under section 687(b)(2)(G) of the Act to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: Provided further, That the amount for section 611(c) of the Act shall be $7,928,000; provided that $1,000,000 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, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, $2,959,838,000, of which $1,000,000 available for section 303(b) of the Rehabilitation Act of 1973 shall be used to improve the quality of applied orthotic and prosthetic research and help meet the demand for provider services: Provided, That the funds provided by the Assistive Technology Act of 1998 ("the AT Act") shall be allocated notwithstanding section 105(b)(1) of the AT Act: Provided further, That section 101(f)(1) of the AT Act shall not limit the award of an extension grant to three years: Provided further, That no State or territory or area awarded funds under section 101 shall receive less than the amount received in fiscal year 2002: Provided further, That each State shall be provided $100,000 and each territory or area $90,000 for activities under section 102 of the AT Act.

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. 3401 et seq.), $54,800,000, of which $13,980,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use $4,200,000 for a building program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 3401 et seq.), $6,072,000, of which $1,500,000 shall be available on July 1, 2003 and shall remain available through September 30, 2004 and of which $791,000,000 shall become available on October 1, 2003 and shall remain available through September 30, 2004: Provided, That the amounts made available for the Carl D. Perkins Vocational and Applied Technology Education Act, $7,000,000 shall be for postsecondary vocational and technical institutions under section 117: Provided further, That notwithstanding any provision of law or regulation for any program, the Act shall not require the use of a restricted indirect cost rate for grants issued pursuant to section 117 of the Carl D. Perkins Vocational and Applied Technical Education Act: Provided further, That $10,000,000 shall be for carrying out section 118 of such 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 207: Provided further, That of the amount provided for Adult Education State Grants, $70,000,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 63 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the immigrant and naturalization service data for immigrants admitted for legal permanent residence in the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence is available: Provided further, That no State shall be allocated an amount less than $60,000: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, $9,500,000 shall be for national leadership activities under section 243 and $6,560,000 shall be for the National Institute for Literacy under section 242: Provided further, That $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 $2,047,640,000, to remain available through September 30, 2004, shall be 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 HEGRA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, funds made available in this Act to carry out the provisions of the Higher Education Act of 1965 may be used to support visits and study in foreign countries by individuals who are participating in advanced training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries and cultures for the benefit 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, international outreach, and information dissemination activities.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING

The aggregate principal amount of outstanding bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965 shall not exceed $3,600,000: Provided further, That of the amount appropriated, $89,500,000 shall be available for obligation through September 30, 2004.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 and the Higher Education Act of 1965, $762,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

INSTITUTE OF EDUCATION SCIENCE

For carrying out activities authorized by Public Law 107–279, $397,387,000: Provided, That 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 hire of three passenger motor vehicles, $142,093,000, of which $12,795,000, to remain available until expended, shall be for building alterations and related expenses for the modernization of the Mary E. Switzer Building in Washington, D.C.
OFFICE FOR CIVIL RIGHTS
For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, 1965, as amended, $86,270,000.

OFFICE OF THE INSPECTOR GENERAL
For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, 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 teachers (or for 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 teachers (or for 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, the purpose of a student receiving special education, to the school offering such special education, in order to comply with title VI 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 to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering or reorganization of schools, or any combination of grade restructuring, pairing or 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 the public schools.

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 transferred 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 such transfer.

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 the local educational agency's own funds that are 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. 6332) for fiscal year 2002, then—

(1) the local educational 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 1113(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”;

(b) by striking “(a)(2)(S) Provision of operational support and purchasing equipment,” and inserting “(a)(2)(S) Provision of operational support and construction funding, and purchasing of equipment.”;

(c) by striking “under this subpart, would be ex- ceived under this subpart only to supplement the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) in an amount that is greater than the amount received by the New York City receives an allocation under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) for fiscal year 2002, then—

1. By providing for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $353,063,000: Provided, That none of the funds made available to 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—

TRANSPORTATION OF STUDENTS

For expenses necessary for the transportation of students or teachers (or for 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 teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system—

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. 6332) for fiscal year 2002, then—

(1) the local educational 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 1113(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 Be- hind 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”;

(b) by striking “(a)(2)(S) Provision of operational support and purchasing equipment,” and inserting “(a)(2)(S) Provision of operational support and construction funding, and purchasing of equipment.”;

(c) by striking “under this subpart, would be ex- ceived under this subpart only to supplement the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) in an amount that is greater than the amount received by the New York City receives an allocation under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) for fiscal year 2002, then—

1. By providing for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $353,063,000: Provided, That none of the funds made available to 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—

CLEAN AND SUSTAINABLE HOMES PROGRAM

For expenses necessary for the Clean and Sustainable Homes Program—

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATION N.

For expenses necessary for the Corporation for National and Community Service to carry out the—

Title IV—Related Agencies

ARMED FORCES RETIREMENT HOME

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—Gulfport, 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 Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport: Provided, That, notwithstanding any other provision of law, a single source contract for development and construction, to in- clude construction of a facility at the United States Naval Home, may be employed which col- lectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.227– 7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATION N.

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, $353,063,000: Provided, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by part B of title II of the Domestic Volun- teer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volun- teers 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 of $353,063,000 shall be available within limitations specified by that Act, for the fiscal year 2005, $353,063,000: Provided, That none of the funds made available to the Cor- poration for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees. That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded by reason of race, color, na- tional origin, religion, or sex: Provided further, That for fiscal year 2003, in addition to the amounts provided above, $48,744,000, for costs related to digital program production, develop- ment, and distribution, associated with the transition of public broadcasting to digital broadcasting, to be awarded 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-Management Cooperation Act of 1935 (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 95–554 (5 U.S.C. ch. 71, §40, 79 Stat. 1116). $1,500,000 to remain available through September 30, 2004, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); Provided, That no more than $339,200, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: 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 purview.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES


INSTITUTE OF MUSEUM AND LIBRARY SERVICES

For carrying out 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 Trust Fund and the 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 28, 1970 (Public Law 91–350), $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, 1947, as amended (29 U.S.C. 141–187, 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, or orders concerning bargaining units in the agricultural labor sector, as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 101(3) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and related irrigation water mains operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereon is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–180), including emergency boards appointed by the President, $11,203,000.

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, pursuant to section 514(a) of the Railroad Retirement Act of 1974, $132,000,000, which shall include amounts becoming available in fiscal year 2003 pursuant to section 221(b)(2)(B) of title IV of the Internal Revenue Code: provided, That the amount provided herein, to be available in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of the number of recipients and the average benefit received exceeds $32,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act of 1937, interest earned on unexpended balances, $100,000,000, to remain available through September 30, 2004, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $97,720,000, to be derived in such amounts as determined by the Board from the payments in accounts and from moneys credited to the railroad unemployment insurance administration fund: Provided, That notwithstanding any other provisions of law, moneys made available under this heading for administration of the Railroad Retirement or Railroad Unemployment Insurance Acts shall be available for payment of charges, in excess of actual rent costs, pursuant to section 210(i) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(i)).

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For necessary expenses for the Office of Inspector General for audit, investigatory and related expenses, not more than $20,000 for official reception and representation, not more than $7,825,000, to remain available until expended, as authorized by section 201(g)(1) of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such use as may be necessary.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, $300,177,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 2004, $97,999,000, 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 92–603, section 405 of Public Law 95–216, section 406 of Public Law 99–232, section 407 of Public Law 100–242, and for facilities or support services for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $23,914,392,000, to remain available until expended for fiscal year 2004.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $8,725,000, to be derived from the Social Security Trust Funds: Provided further, That the uncollected balances of funds provided for this purpose in the current fiscal year shall be returned to the Treasury: Provided further, That $1,000,000,000, to remain available until expended.

LIMITATION ON EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $8,725,000, to be derived from the Social Security Trust Funds: Provided further, That the uncollected balances of funds provided for this purpose in the current fiscal year shall be returned to the Treasury: Provided further, That $1,000,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $8,725,000, to be derived from the Social Security Trust Funds: Provided further, That the uncollected balances of funds provided for this purpose in the current fiscal year shall be returned to the Treasury: Provided further, That $1,000,000,000, to remain available until expended.
S1594

CONGRESSIONAL RECORD — SENATE
January 28, 2003

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,000,000, to be transferred and expended as authorized by section 107(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

UNITED STATES INSTITUTE OF PEACE
OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $16,200,000.

TITLES 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 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 shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. 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, or use of any kit, 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 to pay the salaries and expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the National Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for “Salaries and expenses, National Mediation Board” and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for “Salaries and expenses, National Mediation Board”.

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. Notwithstanding the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(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 subsection (a) by the Congress.

(c) 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 to any product or to a product made for which funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 5.4 and 5.10 of title 49, Code of Federal Regulations

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal funds, 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 of the total costs of the program or project which will be financed with Federal funds; (2) the Federal and State and local contributions to the project or program; (3) percentage and dollar amount of the total costs of the program or project which will be financed by non-governmental sources.

SEC. 508. (a) 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.

(b) 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 health benefits coverage that includes coverage of abortion.

(c) The term “health benefits coverage” means the package of health care services offered 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—

(b) Section (a) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

SECTION V—UNITED STATES INSTITUTE OF PEACE (INCLUDING TRANSFER OF FUNDS)

SEC. 510. (a) None of the funds made available in this Act may be used for an activity that promotes the legalization of any drug or other substance included in schedule I of the Controlled Substances Act established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into a contract or subcontracts with an entity—

(1) such entity is otherwise a contractor or 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.

SEC. 513. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d–2(b)) 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), until legislation is enacted specifically approving the standard.

SEC. 514. (a) The United States Institute of Peace Act (22 U.S.C. 4607) is amended in subsection (g), by striking “on or before $138,264,000, to be allocated by the Office of Management and Budget, are permanently canceled.

(b) The limitation in subsection (a) shall not apply to the United States Institute of Peace Act (22 U.S.C. 4607) is amended in subsection (a)(1), by striking the numeral “5”.

SEC. 515. Of the budgetary resources available to the Departments of Labor, Health and Human Services, and Education in this Act for salaries and expenses during fiscal year 2003, $138,264,000, 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, 2003.”

DIVISION H—LEGISLATIVE BRANCH
APPROPRIATIONS, 2003

Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, 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, 2001, and for other purposes, namely:

TITLES I—LEGISLATIVE BRANCH
APPROPRIATIONS

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; and Michael Kerner, son of Paul David Wellstone, late a Senator from Minnesota, $50,000; Mark D. Wellstone, Guardian of the Estate of Joshua Kerner, for the estate of Joshua Kerner, deceased, daughter of Paul David Wellstone, late a Senator from Minnesota, $50,000.

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $20,000; the President Pro Tempore of the Senate, $20,000; Majority Leader of the Senate,
for each such Chairman; and Chairmen of the Majority and Minority Policy Committees, $5,000 for each Chairman; and Chairmen of the Majority and Minority Leaders, $15,000 for each Leader; in all, $30,000.

CONFERENCE COMMITTEES

For salaries of the Majority and Minority Leaders of the Senate, $3,094,000.

For the Office of the Majority Whip, $2,042,000.

For the Office of the Majority Leader of the Senate, $2,570,000.

For the Office of the Majority Policy Committee, $114,423,000, 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.

OFFICE OF THE CHAPLAIN

For salaries of the Chaplain, $20,000.

OFFICE OF THE SHERIFF

For salaries of the Sergeant at Arms and Doorkeeper of the Senate, $43,161,000.

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.


For attendance allowances of the Secretary of the Senate, $3,000; Sergeant at Arms and Doorkeeper of the Senate, $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 of inquiries and investigations ordered by the Committee on Appropriations under section 134(a) of Public Law 601, Seventy-ninth Congress section 112 of Public Law 96–304 and Senate Resolution 281, agreed to March 11, 1980, $199,459,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $25,000.

LEGISLATIVE BRANCH

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 salaries of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $114,423,000, 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, $18,355,500, 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 to the people of a town meeting by a town (or an 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, however, that not later than October 31, 2003, the Sergeant at Arms and Doorkeeper of the Senate 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 Accounts, $332,825,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

SEC. 1. (a) Section 3(f)(3) under the heading “LEGISLATIVE BRANCH” of title 3, United States Code, is amended by striking “$10,000” and inserting “$20,000”.

(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 Second Supplemental Appropriations Act, 1978 (Public Law 95–352; 92 Stat. 352) 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 second sentence (2 U.S.C. 32b) (relating to the President pro tempore) by striking “$10,000” and inserting “$20,000”.

(c) 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 IX of title I of the Second Supplemental Appropriations Act, 1983 (2 U.S.C. 31a–1; Public Law 98–63; 97 Stat. 333) (relating to the Majority and Minority Whips) is amended by striking “not exceed $5,000” and inserting “not exceed $10,000”.

(d) The matter under the subheading “EXPENSE ALLOWANCES OF THE VICE PRESIDENT, THE

(b) This section shall take effect on October 1, 2002, and shall apply in fiscal year 2003 and successive fiscal years.

SEC. 7. CONSULTANTS. (a) IN GENERAL.—Section 101 of the Supplemental Appropriations Act, 1977 (2 U.S.C. 616–6) is amended—

(1) by deleting the first sentence by striking “six individual consultants” and inserting “eight individual consultants”; and

(2) by adding at the end the following:

“(c) Authorizing Language.—In authorizing the subsection (a) may designate the title of the position of any individual appointed under that subsection.”

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 8. OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS OF THE SENATE. (a) ESTABLISHMENT.—There is established the Office of the President pro tempore emeritus of the Senate.

(b) DESIGNATION.—Any Member of the Senate who—

(1) is designated by the Senate as the President pro tempore emeritus of the United States Senate, and

(2) is serving as a Member of the Senate, shall be the President pro tempore emeritus of the United States Senate.

(c) APPOINTMENT AND COMPENSATION OF EMPLOYEES.—The President pro tempore emeritus is authorized to appoint and fix the compensation of such assistants as the President pro tempore emeritus determines appropriate.

(d) EXPENSE ALLOWANCE.—There is authorized an expense allowance for the President pro tempore emeritus which shall not exceed $7,500 each fiscal year. The President pro tempore emeritus may receive the expense allowance (1) as reimbursement for actual expenses incurred upon certification and documentation of such expenses by the President pro tempore emeritus, or (2) in equal monthly payments. Such amounts paid to the President pro tempore emeritus as reimbursement of actual expenses incurred upon certification and documentation under this subsection, shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under the Internal Revenue Code of 1986.

(e) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and shall apply only with respect to the 108th Congress.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $3,658,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $7,233,000, to be disbursed by the Chief Administrative Officer 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, including: (1) an allowance of $2,175 per month to the Attending Physician; (2) an allowance of $725 per month each to four medical officers while on duty in the Office of the Attending Physician; (3) an allowance of $725 per month to two assistants and $380 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (4) $1,414,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, excepted and credited under the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,000,000, of which $300,000 shall remain available until expended, to be disbursed by the Chief Administrative Officer of the House.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, $3,035,000, to be reimbursed by the Senate. Provided, That no part of such amount may be used to employ more than 85 individuals; Provided further, That the Senate is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each, and not more than 10 additional individuals for not more than 6 months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, 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 One Hundred Seventh Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, Social Security, and other applicable employee benefits, $175,675,000, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, 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 not more than $5,000 to be used for the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $28,100,000, 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 and each fiscal year thereafter, shall be disbursed by the equipped for the fiscal year payable and shall be available for the Department of Homeland Security from funds available to the Department of Homeland Security.

ADDITIONAL PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 1001. TRANSFER AUTHORITY.—Amounts appropriated for fiscal year 2003 for the Capitol Police may be transferred between the headings “SALARIES” and “GENERAL EXPENSES” upon the approval of the Appropriations of the Senate and the House of Representatives.

SEC. 1002. CAPITOL POLICE CONTRACT AUTHORITY. (a) IN GENERAL.—The United States Capitol Police is hereby authorized—

(1) enter into contracts for the acquisition of severable services for a period that begins in 1 fiscal year and extends to the same extent as the head of an executive agency under the authority of section 301L 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. 1003. DISPOSAL OF SURPLUS PROPERTY. (a) IN GENERAL.—With respect to the limits of the general appropriations, the Capitol Police may dispose of surplus or obsolete property of the Capitol Police by interagency transfer, donation, sale, trade, 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 participating employee and shall be available for the purposes of such accounting during the fiscal year upon 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. 1004. RECRUITMENT AND RELOCATION BONUSES. Section 909 of the Emergency Supplemental Act, 2002 (Public Law 107–117; 115 Stat. 2329) 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 full retirement” and inserting “the Chief, in the Chief’s sole discretion, determines that such a bonus will assist the Capitol Police in recruitment efforts”;

(B) by adding at the end the following:

“(e) 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 subsection (e) and (f)(2); 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 to the contrary.

SEC. 1006. RETENTION ALLOWANCES. Section 909 of the Emergency Supplemental Act, 2002 (Public Law 107–117; 115 Stat. 2329) 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 may not be appealed” 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. Section 908 of the Emergency Supplemental Act, 2002 (2 U.S.C. 1924; Public Law 107–117; 115 Stat. 2319) is amended 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 provide educational assistance to employees as follows:

“(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 employer of a participating employee for all or any portion of any tuition or related educational expenses paid by the employer;"

(b) SPECIAL RULES FOR STUDENT LOAN REPAYMENTS.—

(1) APPLICATION OF REGULATIONS UNDER EXECUTIVE BRANCH PROGRAM.—In carrying out subsection (a)(1), the Capitol Police Board may, by regulation, make applicable such provisions of section 5379 of title 5, United States Code, as the Board determines necessary to provide for such program.

(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.

(3) Limit on amount of payments.—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 by the Capitol Police for any purpose at its discretion and shall remain available until expended.

(c) 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.

(d) No review of determinations.—Any determination made under the program under this section shall not be reviewable or appealable in any manner.

(4) DEFERRED PAY DATE.—This section shall apply with respect to fiscal year 2003 and each fiscal year thereafter.

SEC. 1008. APPLICABLE PAY RATE UPON APPOINTMENT.—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.

(5) 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 may 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 are 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, and the White House Police force, and for other purposes", approved August 15, 1950 (sec. 5–1394, D.C. Official Code)."
(1)(A) of this subsection, including any adjustments to cost estimates or legislative changes needed to implement the provisions of this section.

(c) 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 and approved August 4, 1950 (2 U.S.C. 167 et seq.); and

(2) the term "Library of Congress Police employees"—

(A) 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 police support functions.

(d) Except as otherwise provided in this section, this section shall take effect on the date of enactment of this Act.

SEC. 1014. CLARIFICATION OF AUTHORITY OF CAPITOL POLICE TO POLICE BOTANIC GARDENS.

(a) BUILDINGS.—Section 5101 of title 40, United States Code, is amended by inserting "(1) excluding the "Capitol Power Plant," " and after "the buildings and grounds of the Library of Congress" the following:

"(2) the National Garden of the United States Botanic Garden;"

(b) GROUNDS.—Section 5102 of title 40, United States Code, is amended by adding at the end the following:

"(1) the National Garden of the United States Botanic Garden;"

"(4) the Capitol Police Board and Capitol Police;"

"(c) QUALIFICATIONS.—Any individual appointed as a special officer under this section to funds paid or disbursed by the Chief of the Capitol Police. Any reference in any law or regulation to employees of the Capitol Police as employees of the Capitol Police as of the date of enactment of this Act shall be construed to refer to the Chief of the Capitol Police and available for the salaries, debt, and health, retirement, Social Security, and other applicable employee benefits (as are available by the appropriate authority to serve as a special officer of the Capitol Police.

(b) CONDITIONS OF APPOINTMENT.—An individual appointed as a special officer under this section—

(1) serve without pay for service performed as a special officer (other than pay received from the applicable employing agency or service);

(2) serve no longer than a period specified at the time of appointment;

(3) not be a Federal employee by reason of service as a special officer, except as provided under paragraphs (1) and (2) of this subsection;

(4) shall be an employee of the Government for purposes of chapter 171 of title 28, United States Code, if the individual is acting within the scope of his office or employment in service as a special officer.

(c) QUALIFICATIONS.—Any individual appointed under subsection (a) shall be subject to—

(1) qualification requirements as the Chief of the Capitol Police determines necessary; and

(2) approval by the Capitol Police Board.

(d) AUTHORITIES AND DUTIES.—During any period of service as a special officer under this section, a special officer—

(A) may exercise all authorities and perform all duties of members of the Capitol Police in any appropriate capacity, in the policing, protection, and physical security responsibilities of the Capitol Police Board and Capitol Police;

(B) shall wear an emblem provided by the Chief of the Capitol Police that designates the wearer as a special officer;

(C) may enter and leave any building or area under the jurisdiction of the Capitol Police by any route, for purposes of performing police support functions.

(e) REIMBURSEMENT AGREEMENTS.—Nothing in this section shall prohibit the Capitol Police from entering into an agreement for the reimbursement of services provided under this section with any Federal, State, or local agency.

(f) REGULATIONS.—The Capitol Police Board shall prescribe regulations to carry out this section.

(g) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and shall apply to fiscal year 2003 and each fiscal year thereafter.
the acquisition and partial support for implementation cost of $32,101,000, of which not more than $100,000 is to be used for representation and reception expenses, and for interagency transfer, donation, or discarding.

Section 1022 of the Revised Statutes of the United States (2 U.S.C. 1385), $2,059,000, of which $254,000 shall remain available until September 30, 2007.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses of the Office of the Director of the Congressional Budget Office, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 165), $3,765,000, of which $2,000,000 shall remain available until September 30, 2007.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses necessary for the maintenance, care and operation of the Office of Compliance, Section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 165), $5,000,000, of which $2,500,000 shall remain available until September 30, 2007.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, for the Architect, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; and for such necessary administrative expenses for the general and administrative support of the operations under the Architect of the Capitol, including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; 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, $39,341,000, of which $450,000 shall remain available until September 30, 2007.

SEC. 1202. MULTI-YEAR CONTRACT AUTHORITY. (a) IN GENERAL.—The Architect of the Capitol may—

(1) enter into contracts for the acquisition of Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewage services for the Capitol and House office buildings, Library of Congress buildings; and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Senate and House office buildings, Union Station complex, the thurgood marshall Federal Judicial Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $102,286,000, of which $61,739,000 shall remain available until September 30, 2007; Provided, That not more than $4,400,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2003.

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1203. DEPUTY ARCHITECT OF THE CAPITOL. There shall be a Deputy Architect of the Capitol who shall serve as the Chief Operating Officer of the Office 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 subject to the general supervision of the Architect of the Capitol. The Architect of the Capitol shall appoint the Deputy Architect of the Capitol not later than 90 days after the date of enactment of this Act and the Deputy Architect of the Capitol shall serve as the Chief Operating Officer of the Office of the Architect of the Capitol. The Deputy Architect of the Capitol shall serve as the Chief Operating Officer for the purposes of making payments for employees of the Capitol Police under section 8147 of title 5, United States Code.

(1) ACCOUNT.—There shall be established a separate account in the Capitol Police for purposes of making payments for employees of the Capitol Police under section 8147 of title 5, United States Code.

(2) PAYMENTS WITHOUT FISCAL YEAR LIMITATION.—Notwithstanding any other provision of law, payments may be made from the account established under paragraph (1) of this subsection without regard to the fiscal year for which the obligation to make such payments is incurred.

(3) EFFECT ON EXISTING LAW.—In general, The provisions of this section shall not reduce the pay or benefits of any employee of the Capitol Police whose pay was disbursed by the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate before the date of enactment of this Act.

(4) SUPERSEENDING PROVISIONS.—All provisions of law inconsistent with this Act are hereby superseded to the extent of the inconsistency.

(5) COMFORMING AMENDMENTS.—(1) Section 1822 of the Revised Statutes of the United States (2 U.S.C. 1901) is amended by striking the third sentence.

(2) Section 1822 of the Revised Statutes of the United States (2 U.S.C. 1901) is repealed.

SEC. 1204. (f) WORKER'S COMPENSATION.—(1) A CCOUNT.—There shall be established a separate account in the Capitol Police for purposes of making payments for employees of the Capitol Police under section 8147 of title 5, United States Code.

(2) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of enactment of this Act and amendments made by this section shall take effect on the date of enactment of this Act and shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1205. DEADLINE FOR REGULATIONS. Not later than 60 days after the date of the enactment of this Act, the Chief of the Capitol Police shall promulgate any regulations required by Sections 1202 and 1204 of this Act.

OFFICE OF COMPLIANCE

SALARIES 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. 165), $5,000,000, of which $2,500,000 shall remain available until September 30, 2007.

SEC. 1102. (a) The Director of the Congressional Budget Office shall, by regulation, make applicable such provisions of section 3396 of title 5, 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, study, or other programs of 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.

SEC. 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. 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 of the Architect of the Capitol; and for such necessary administrative expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; 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, $39,341,000, of which $450,000 shall remain available until September 30, 2007.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $22,084,000, of which $19,065,000 shall remain available until September 30, 2007.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, $64,871,000, of which $120,000 shall remain available until September 30, 2007.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings, and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $64,871,000, of which $21,600,000 shall remain available until September 30, 2007.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, and water and sewage services; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle, $39,341,000, of which $450,000 shall remain available until September 30, 2007.

SEC. 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. 5).

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1102. (a) The Director of the Congressional Budget Office may, by regulation, make applicable such provisions of section 3396 of title 5, 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, study, or other programs of 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.

SEC. 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. 5).

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

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(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 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. 5).

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.
and demonstrated ability in management, including in such areas as strategic planning, performance management, worker safety, customer satisfaction, and service quality.

(c) For the Architect of the Capitol and the Deputy Architect, the position of Assistant Architect may be included in 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.

(1) IN GENERAL.—The Deputy Architect of the Capitol shall be responsible to the Architect of the Capitol for the overall direction, operation, and management of the Office of the Architect of the Capitol, including implementing the Office's goals and mission; providing overall organization management to improve the Office's performance; and assisting the Architect of the Capitol in promoting reform, and measuring results.

(2) RESPONSIBILITIES.—The Deputy Architect's responsibilities include—

(A) developing, implementing, annually updating, and maintaining a long-term strategic plan for the Office for not less than 5 years for the Office of 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 strategic plan and including to the extent practicable quantifiable performance measures for the annual goals;

(C) proposing organizational changes and new programs to carry out the Office of the Architect of the Capitol's mission and strategic and annual performance goals; and

(D) reviewing and directing the operational functions of the Office of the Architect of the Capitol, including—

(i) facilities and project management;

(ii) administration of the Office and modernization of systems deployed by the Office;

(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 operational functions and financial management to ensure that budgets, financial information, and systems support the strategic and annual plans developed under this subsection.

(3) ADDITIONAL RESPONSIBILITIES.—The Architect of the Capitol may delegate to the Deputy Architect of the Capitol such additional duties as the Architect determines are necessary or appropriate.

(4) Prior to the Deputy Architect's appointment, the Deputy Architect shall implement and timeframes for carrying out the responsibilities under this section.

(5) 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.

(3) ADDITIONAL SENIOR POSITIONS.—Notwithstanding the provisions in section 129(c) of the Legislative Branch Appropriations Act, 2002, Public Law 107–58, 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 value of 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.

(1) The appointment of the Deputy Architect of the Capitol, the General Accounting Office 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 the Senate, the Committee of the Administration on Rules and Administration of the Senate.

(2) REMOVAL.—The Deputy Architect of the Capitol may be removed by the Architect of the Capitol for cause. All performance goals set forth in the performance agreement in subsection (i). Upon the removal of the Deputy Architect of the Capitol, the Architect of the Capitol shall immediately notify the Committee on Appropriations of the House of Representatives and the Committee on Rules and Administration of the Senate, stating the specific reasons for the removal.

(4) In subsection (b), (h), Cost of the Deputy Architect of the Capitol shall be paid at an annual rate of pay to be determined by the Architect but not to exceed $100,000 for the rate of pay for the Deputy Architect of the Capitol.

(1) ANNUAL PERFORMANCE AGREEMENT.—The Architect of the Capitol and the Deputy Architect of the Capitol, shall enter into an annual performance agreement for measurable individual goals linked to the organizational goals in the Officer of the Architect of the Capitol's annual performance plan for the Deputy Architect's performance in operational areas. The agreement shall be subject to review and renegotiation on an annual basis.

(2) ANNUAL PERFORMANCE PLAN.—The Deputy Architect of the Capitol shall prepare and transmit to the Architect of the Capitol an annual performance plan. 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 in subsection (c)(2) for the preceding fiscal year, the results of the review and evaluation 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 (h), including the amounts 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.

(3) TERMINATION OF ROLE.—As of October 1, 2004, the role of the Comptroller General and the General Accounting Office, as established by this section, will cease.

SEC. 1204. DEPUTY ARCHITECT TO ACT IN CASE OF ABSENCE, DISABILITY, OR VACANCY. The Deputy Architect shall serve in the absence of the Architect under the heading “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—

(a) by striking “Assistant Architect” and inserting “Deputy Architect”;

(b) in subsection (d), by inserting “Deputy Architect” after “Senate”;

(c) in subsection (f), by inserting “Deputy Architect” after “of the Senate”;

(d) in subsection (h), by inserting “Deputy Architect” after “costs of the Senate”;

(e) in subsection (i), by inserting “Deputy Architect” after “compensation of the Senate Staff”.


SEC. 1206. COMPENSATION.—The Deputy Architect of the Capitol shall receive compensation at a rate not to exceed the highest total value of 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.

(1) The appointment of the Deputy Architect of the Capitol, the General Accounting Office shall receive 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 Deputy Architect of the Capitol.

(2) The compensation 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 53 of title 5, United States Code, for the locality involved.

SEC. 1207. SENATE STAFF HEALTH AND FITNESS PROGRAMS FOR LIBRARY BUILDINGS AND GROUNDS. The first section of the Act of June 29, 1972 (2 U.S.C. 167(i)) is amended 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. 167(i)) 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 forth 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 performance of the duties under paragraph (1) shall be appointed by the Architect of the Capitol.

(3) 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 may enter into agreements with others to perform work under this section, and, subject to the approval of the Committees on Appropriations of the House of Representatives and the Senate and the Joint Committee on the Library, may transfer between themselves appropriations or other available funds to pay the costs therefor.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.
For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalog; operation of the Copyright Office; protection of American literary property in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor van for official representation and reception expenses of the Librarian of Congress, in connection with official representation and reception expenses for the Abraham Lincoln Bicentennial Commission: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $25,912,000: Provided further, That not more than $4,250 may be expended for the incentive awards program.

SEC. 1303. NATIONAL DIGITAL INFORMATION INFRASTRUCTURE AND PRESERVATION PROGRAM.—The Miscellaneous Appropriations Act, 2001 (as enacted by section 1(a)(4) of Public Law 106–554, 114 Stat. 2753A–194), division A, chapter 9, subsection (b) (1) of section 4(a)(1) of such Act, entitled “Salaries and Expenses” is amended by striking “March 31, 2003” and inserting “March 31, 2005”.

SEC. 1304. ABRAHAM LINCOLN BICENTENNIAL COMMISSION. The Abraham Lincoln Bicentennial Commission Act (36 U.S. Code note prec. 101; Public Law 106–173) is amended—

(1) in section 6(b), by striking paragraph (2) and inserting the following:

“(2) STAFF.—Consistent with all other applicable laws, including laws regulating the hiring of employees and compensation, the staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointment to an agency, and may be compensated without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification and General Schedule pay rates.”; and

(2) in section 7(h)(3), by striking “subsection (b)(2)” and inserting “section 8(b)(2)”.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

INCLUDING TRANSFER OF FUNDS

For authorized printing and binding for the Congress and the distribution of congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $90,143,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Members, Representatives, or Delegate residents authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, notwithstanding any appropriation or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, there is hereby authorized 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 unexpired amounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office for carrying out the purposes of this Act.
$2,210,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2003: Provided Further, That not more than $790,000 of reimbursement under section 3105 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 other department or agency which is a member of the American 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 Development, $13,000,000.

ADMINISTRATIVE PROVISION

SEC. 1401. CENTER FOR FOREIGN LEADERSHIP DEVELOPMENT. (a) IN GENERAL.—Section 313 of the Legislative Branch Appropriations Act, 2001 (Public Law 106–554; 114 Stat. 2763A–120) is amended—

(1) in the section heading, by striking ‘‘RUSIAN’’ and inserting ‘‘FOREIGN’’;

(2) in subsection (a), by striking ‘‘Foreign’’ and inserting ‘‘Foreign states’’;

(3) in subsection (b)—

(A) in paragraph (1), by striking ‘‘Russian’’ and inserting ‘‘Foreign’’;

(B) in paragraph (2), by striking ‘‘Russian’’ and inserting ‘‘Foreign’’;

(C) in paragraph (3)(B), by striking ‘‘United States and’’ and inserting ‘‘United States and Foreign states’’;

(D) in paragraph (4), by striking ‘‘Russian and’’ and inserting ‘‘Foreign and’’;

(E) in subsection (c)(1), by striking ‘‘Russian and’’ and inserting ‘‘Foreign and’’;

(F) by adding at the end thereof the following:

‘‘(1) ELIGIBLE FOREIGN STATE DEFINED.—In this section, the term ‘eligible foreign state’ means—‘‘(I) any country specified in section 3 of the FREEDOM Support Act (22 U.S.C. 7002); and

‘‘(II) any country specified in section 3 of the FOREIGN Assistance Act of 1961 (22 U.S.C. 2151c) that is receiving assistance under such Act.’’.’’

SEC. 202. No part of the funds appropriated in this Act shall be used for the maintenance or operation of the Old Executive Office Building, or for any purpose other than the maintenance or operation of the Headquarters Building complex of the National Archives, as determined by the Archivist of the United States, except that the total General Services Administration costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,300,000.

SEC. 208. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape feature, excluding streets and sidewalks, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I–355 tunnel on the southeast.

SEC. 209. UNITED STATES–CHINA ECONOMIC AND SECURITY REVIEW COMMISSION. (a) APPROPRIATIONS.—There are authorized for expenses of the United States-China Economic and Security Review Commission—

(1) in paragraph (1), by inserting ‘‘Economic and’’ before ‘‘Security’’; and

(2) in paragraph (2), by inserting ‘‘Economic and’’ before ‘‘Security’’.

(b) NAME CHANGE.—

(1) IN GENERAL.—Section 1238 of the Floyd D. Spence National Defense Authorization Act for FY 2001 (22 U.S.C. 7002) is amended—

(A) in the section heading by inserting ‘‘ECONOMIC AND’’ before ‘‘SECURITY’’;

(B) in subsection (a), by inserting ‘‘Economic and’’ before ‘‘Security’’ and ‘‘Economic and’’ before ‘‘Security’’;

(C) in subsection (b)–

(i) in the subsection heading, by inserting ‘‘ECONOMIC AND’’ before ‘‘Security’’;

(ii) in paragraph (1), by inserting ‘‘Economic and’’ before ‘‘Security’’;

(iii) in paragraph (2), by inserting ‘‘Economic and’’ before ‘‘Security’’;

(D) in subparagraph (B), by inserting ‘‘Economic and’’ before ‘‘Security’’ and ‘‘Economic and’’ before ‘‘Security’’.

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 office or position for which there is no specific appropriation from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto.

SEC. 204. The expenditure of any appropriation in 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 of 2002 and settlements as authorized under such subsection.

SEC. 206. Amounts available for administrative expenses of any legislative branch entity which provides executive direction to the United States Government Printing Office revolving fund: 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.
...
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 program under 49 U.S.C. 41731 through 41742, the Airport and Airway Trust Fund, $65,000,000, to remain available until expended.

TRANSPORTATION SECURITY ADMINISTRATION
OPERATING EXPENSES
For necessary expenses of the Transportation Security Administration related to transportation security services pursuant to Public Law 107–71, $5,346,000,000 of which $55,000,000 shall be derived from the proceeds of the Transportation Security ____________ Appropriations Committee on Appropriations that funding for the IDS program for fiscal years 2004 through 2006, $5,346,000,000 of which $55,000,000 shall be derived from 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 functions under section 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 obstructive bridges, $14,000,000, to remain available until expended.

RETIRED PAY
For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Servicemen’s Family Protection and Survivor Benefits Plans, 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 Dependents 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 and operation of facilities, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104–264, $7,047,203,000, of which $3,799,278,000 shall be derived from the Coast Guard Capital Investment Plan and within the time corresponding to such premium pay: Provided further, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS
For necessary expenses of acquisition, construction, and improvement of navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $752,000,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $25,600,000 shall be available for acquisition, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2005; $1,071,700,000 shall be available for air traffic services program activities; not to exceed $39,467,000 shall be available for aviation regulation and certification program activities; not to exceed $297,600,000 shall be available for research and acquisition program activities; not to exceed $12,325,000 shall be available for commercial space transportation program activities; not to exceed $48,782,000 shall be available for financial services program activities; not to exceed $80,260,000 shall be available for human resource program activities; not to exceed $82,192,000 shall be available for coordination program activities; not to exceed $84,890,000 shall be available for public agencies, services incurred in the provision of air traffic services; not to exceed $270,600,000 shall be available for research and acquisition program activities; not to exceed $12,325,000 shall be available for commercial space transportation program activities; not to exceed $48,782,000 shall be available for financial services program activities; not to exceed $80,260,000 shall be available for human resource program activities; not to exceed $82,192,000 shall be available for coordination program activities; not to exceed $84,890,000 shall be available for public agencies.
at remote localities 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 and to remain available until September 30, 2003, for: Provided, That any amount herein appropriated 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.

RESEARCH, ENGINEERING, AND DEVELOPMENT (AIRPORT AND AIRWAY TRUST FUND) For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle V of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $124,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2005: Provided, That there may be credited to this appropriation fund received from United States government agencies, other public authorities and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-ALLOWANCES FOR AIRPORTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (AIRPORT AND AIRWAY TRUST FUND) For liquidation of obligations incurred for grants-in-allowances for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 of title 49, United States Code, and under other laws authorizing such obligations; for procurement, installation, and commissioning of runway improvements, navigation devices and auxiliary equipment at airports of such title; for implementation of section 203 of Public Law 106–178; and for inspection activities and administration of airport safety programs, including those related to air navigation facilities: Provided, That none of the funds under this heading shall be obligated for administration under title 4 of chapter 1 of title 49, United States Code, and under other laws authorizing such obligations; for procurement, installation, and commissioning of runway improvements, navigation devices and auxiliary equipment at airports of such title; for implementation of section 203 of Public Law 106–178; and for inspection activities and administration of airport safety programs, including those related to air navigation facilities: Provided, That none of the funds under this heading shall be obligated for administration under chapter 471 of title 49, United States Code.

FEDERAL HIGHWAY ADMINISTRATION LIMITATION ON ADMINISTRATIVE EXPENSES 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: Provided, That of the funds available under section 104(a)(1)(A) of title 23, United States Code, shall be used for "Child Passenger Protection Education Grants" under section 203(b) of Public Law 105–118, as amended; $47,000,000 shall be available for construction of state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $59,967,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for environmental streamlining and other programs as authorized under section 105(a)(1)(B) of the Federal Aid Highway Act, and shall remain available until expended; $20,000,000 shall be available, in addition to funds made available by section 330 of this Act, as authorized under section 104(a)(1)(D) of the Federal Aid Highway Act, and shall remain available until expended; $4,000,000 shall be available, in addition to funds made available by section 330 of this Act, as authorized under section 104(a)(1)(B) of the Federal Aid Highway Act, and shall remain available until expended; $20,000,000 shall be available, in addition to funds made available by section 330 of this Act, as authorized under section 104(a)(1)(D) of the Federal Aid Highway Act, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until expended; $9,400,000 shall be available for border enforcement activities required by section 339 of Public Law 107–87, and shall remain available until expended; $69,000,000 shall be available, in addition to funds made available by section 330 of this Act, to make grants for construction activities, transportation projects, and other activities, including those related to state border safety inspection facilities at the United States-Mexico border, and shall remain available until exped...
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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) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 3102, 3106 and 3109, $190,000,000, to remain available until expended from the Highway Trust Fund and to remain available until expended: Provided, That none of the funds in this Act shall be available for the implementation or execution of the obligations for which are in excess of $190,000,000 for “Motor Carrier Safety Grants”, and “Information Systems”.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 201 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $141,000,000, of which $86,161,131 shall remain available until September 30, 2005: Provided, That none of the funds in this Act may be obligated to carry out the laws and regulations relating to enforcement of laws and regulations to reduce traffic-related fatalities, injuries, and economic losses attributable to impaired drivers (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. 402, 405, and 410, and part B of subtitle III of title 49, United States Code, for the National Driver Register under chapter 303 of title 49, United States Code, and for the National Highway Traffic Safety Administration, $141,000,000, to be derived from the Highway Trust Fund, and to remain available until expended: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $141,000,000 for “Highway Traffic Safety Grants”.

HIGHWAY TRAFFIC SAFETY GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 402, 405, and 410, of which $165,000,000 shall be for “Highway Traffic Safety Grants” under 23 U.S.C. 402, $50,000,000 shall be for “Occupant Protection Incentive Grants” under 49 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 of buildings, or for furnishing fixtures for State, local, or private buildings or structures: Provided further, That not to exceed $8,150,000 of the funds made available for section 402, not to exceed $1,000,000 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 used for the administration of the program authorized by section 410: Provided further, That not to exceed $500,000 of the funds made available for section 410 shall be available for the “Alcohol-Impaired Driving Countermeasures Grants” shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses for the Federal Railroad Administration, not otherwise provided for, $2,064,000, of which $6,636,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $29,325,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to make grants to the Alaska Railroad, $25,000,000, for the credit risk premium during fiscal year 2003.

NEX GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 U.S.C. 26101 and 26102, $30,000,000, to remain available until expended.

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

For necessary expenses of operating costs and capital improvements of the National Railroad Passenger Corporation (Amtrak) as authorized by 49 U.S.C. 2104(a), $1,200,000,000, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For necessary expenses of operating costs and capital improvements of the National Railroad Passenger Corporation (Amtrak) as authorized by 49 U.S.C. 2104(a), $1,200,000,000, to remain available until expended.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATION EXPENSES

For necessary expenses of the Federal Transit Administration’s administrative expenses account: Provided further, That $97,800,000 shall be paid to the Federal Transit Administration’s transit planning and research account: Provided further, That $4,800,000 shall be paid to the Federal Transit Administration’s administrative expenses account: Provided further, That $4,800,000 shall be paid to the Federal Transit Administration’s university transportation research and education account: Provided further, That $120,000,000 shall be paid to the Federal Transit Administration’s Formula Grants account.

FORMULA GRANTS (INCLUDING TRANSFER OF FUNDS) (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for the payment of obligations incurred in carrying out 49 U.S.C. 5303-5308, 5310-5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105-178, $5,781,000,000, to remain available until expended: Provided further, That $2,428,600,000 shall be paid to the Federal Transportation Administration’s capital investment grants account.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5309, 5310, 5315, and 5322, $24,200,000, to remain available until expended: Provided, That no more than $122,000,000 of budget authority shall be available for grant purposes: Provided further, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)), $4,000,000 is available to carry out programs under the National Railroad Revitalization and Rehabilitation Act of 1994 (Public Law 103-236): Provided further, That $8,250,000 is available to carry out out cooperative research programs (49 U.S.C. 5313(a)): Provided further, That $69,385,600 is available for metropolitan planning (49 U.S.C. 5305): Provided further, That $12,614,400 is available for State planning (49 U.S.C. 5313(b)): and That $31,500,000 is available for the national planning and research program (49 U.S.C. 5314).

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TRUST FUND SHARE OF EXPENSES (LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

For necessary expenses to carry out 49 U.S.C. 5303-5308, 5309, 5310, 5315, and sections 3037 and 3038 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 notwithstanding section 3008 of Public Law 105-178 and 49 U.S.C. 5309(m)(3)(C), $30,000,000 of the funds to carry out 49 U.S.C. 5308 shall be transferred to and merged with funds appropriated for the Federal Railroad Administration, and purchase of buses and related equipment and the construction of bus-related facilities under the Federal Transit Administration, Capital Investment Grants.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5305, $1,200,000, to remain available until expended: Provided, That no more than $6,000,000 of budget authority shall be available for these purposes.

For necessary expenses to carry out 49 U.S.C. 5305, $1,200,000, to remain available until expended: Provided: That no more than $6,000,000 of budget authority shall be available for these purposes.

For necessary expenses to carry out 49 U.S.C. 5305, $1,200,000, to remain available until expended: Provided: That no more than $6,000,000 of budget authority shall be available for these purposes.

For necessary expenses to carry out 49 U.S.C. 5305, $1,200,000, to remain available until expended: Provided: That no more than $6,000,000 of budget authority shall be available for these purposes.
Notwithstanding section 307(4) of Public Law 105-178, as amended, for necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $30,000,000, to remain available until expended: Provided, That none of the funds made available by this paragraph may be used for obligation by individuals other than the Secretary of Transportation, 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 1978, as amended, and of the Inspector General Act of 1978, as amended, $57,421,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended, to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), 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 4712 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. 3109, $19,459,000: 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 account for offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be used 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 $18,459,000.

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 as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15, uniforms, or allowances therefor, as authorized by law (5 U.S.C. 3109).

T-REX Southeast Light Rail Corridor, CO, $70,000,000;
Tri-Rail, Double Track Improvement, FL, $15,500,000;
Two Cities Hiawatha & Northstar Projects, MN, $48,000,000;
Vermont Transportation Authority Rolling Stock, VT, $1,000,000;
Virginia Railway Express VRE, Project, VA, $4,000,000;
Wilmington Train Station improvements, DE, $3,000,000;
Wilkinson to Beaverton Commuter Rail Project, OR, $4,500,000; and
WMATA Addison Rd, Large  Ext, MD, $60,000,000.

Job Access and Reverse Commute Grants

For necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $30,000,000, to remain 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 these funds may be transferred, reallocated, and merged with funds for new fixed guideway systems under the Federal Transit Administration’s Capital Investment Grants account.

LAKE SUPERIOR ENERGY CORPORATION

Lawrence Seaway Development Corporation is hereby authorized to make such expenditure 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 in carrying out the programs set forth in the Corporation’s budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $13,345,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-462.

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $13,725,000, of which $6,000,000 shall be derived from the Pipeline Safety Fund, and of which $3,342,000 shall remain available until September 30, 2005: Provided, That up to $1,200,000 in fees collected under 49 U.S.C. 6506(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That the funds thus deposited in the general fund of the Treasury shall be used for the purposes of this section in the same manner as other offsetting collections: Provided further, That the funds deposited in the general fund shall be used 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 $18,459,000.

NATIONAL TRANSPORTATION SAFETY BOARD
tributed under paragraphs (1) and (2), bears to
portation Statistics; for administrative expenses and programs
obligation for Federal-aid Highways amounts author-
ized for administrative expenses and programs of the Federal Transit Administration
section 201 of the Appalachian Regional Development Act of 1965, the Woodrow Wilson Memorial Bridge Authority Act of 1995, and $2,000,000,000 for such fiscal year under section 105 of title 23, United States Code (relating to minimum guaranty) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, $6,253,000,000 for such fiscal year), United States Code (but, only in an amount equal to
not distribute from the obligation limitation (other than sums authorized to be appropriated for sections set forth in paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—
(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year.
(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.
(b) The obligation limitation for Federal-aid Highways shall not apply to obligations made available during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 and United States Code, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years
(b) Obligation limitation distributed for a fiscal year under subsection (a)(4) of this section for funds set forth in (a)(8) shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.
S.C. 311. (a) No recipient of funds made available in this Act shall disseminate personal infor-
(b) Notwithstanding subsection (a), the Secretary shall not withhold funds made available in this Act for any grantee if a State is in noncompli-
cance with this provision.
S.C. 312. None of the funds in this Act shall be used for planning, fiscal years
S.C. 313. Notwithstanding any other provision of law, airports may transfer, without consid-
eration, to the Federal Aviation Administration for the purpose of land use planning and regulatory purposes that would establish a vessel traffic safe-
ty fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.
S.C. 314. Notwithstanding any other provision of law, if a grantee project, not identified in reports accom-
mplished, and no more than three projects, for projects identified in this Act or reported in reports accom-
manship on this Act not obligated by September 30, 2005, and other recoveries, shall be made avail-
S.C. 315. Notwithstanding any other provision of law, any funds appropriated before October
That such funds shall be subject to the obligations of the Congress, and whenever an allocation is made of the sums authorized to be appropriated for expenditure on Federal-aid highways and highway safety construction.

SEC. 320. (a) Section 47107 of title 49, United States Code, is amended by inserting after section 47107(p)(1) the following:

“(p) Notwithstanding any written assurances prescribed in subsections (a) through (p), a general aviation airport with more than 200,000 annual operations, having been determined to be eligible to accept scheduled passenger air carrier service, provided that the following conditions are met:

(1) No scheduled carrier has provided service at the airport within five years prior to January 1, 2002;

(2) The airport is located within the Class B airspace designated in FAA operating certificate pursuant to Section 47006 of title 49; and,

(3) The certificated air carrier operating under Section 41718 of title 49, United States Code, and does not contribute to significant delays as defined by DOT/FAA in the ‘‘Airport Capacity Benchmark Report 2001’’. 

“(r) An airport that meets the conditions of subsections (q)(1) through (3) is not subject to Section 47524 of title 49 with respect to a prohibition on all scheduled passenger service.’’

This section shall not apply to the Secretary upon enactment, notwithstanding any other section of title 49.

SEC. 321. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegraph, telephone, radio, television, video presentation, electronic communications, or other device, intended or designed to influence in any manner a Member of Congress or of a State legislature to favor or oppose by vote or otherwise, any legislation or appropriation by Congress or by a State legislature after the introduction of any bill or resolution in Congress proposing such legislation or appropriation, or after the introduction of any bill or resolution in a State legislature proposing such legislation or appropriation: Provided, That this shall not present officers or employees of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, the Federal Aviation Administration, the Transit Development Administration, the Transportation Development Administration, the Federal Transit Administration, the Federal Railroad Administration, the Federal Aviation Administration, or the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, the Federal Aviation Administration, or the Federal Highway Administration, and does not contribute to significant delays as defined by DOT/FAA in the ‘‘Airport Capacity Benchmark Report 2001’’.

SEC. 322. (a) Funds provided in Public Law 106-69 for the Wilmington downtown connector and funds provided in Public Law 106-346 for the downtown connector project shall be available for Wilmington, Delaware commuter rail improvements.

(b) Funds provided in Public Law 106-346 for Missoulava Railvall Transportation Management Administration bus bases shall be available for Missoulava Railvall Transportation Management Administration bus bases and bus facilities.

SEC. 323. (a) None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds that entity will comply with the Buy American Act, (41 U.S.C. 3301-3305). and in the case of any equipment or product that may be authorized to be purchased with financial assistance provided using 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 extent practicable.

(b) SENSE OF THE CONGRESS: REQUIREMENT REGARDING NOTICE.

(1) 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 using 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 extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency may by order, or by letter, or by notice or otherwise, require that the entity receiving the assistance notify the Federal agency of the application of the funds made available in this Act for the purpose of carrying out the purpose of Title 23, United States Code, to make transfers in accordance with section 1395 of title 23, United States Code, to make transfers in accordance with section 1395 of title 23.

SEC. 324. (a) Funds made available in this Act shall be subject to all the provisions of law to be financed from appropriations for motor carrier safety programs and motor carrier safety research: Provided, That any deduction by the Secretary of Transportation in accordance with this subsection shall be deemed to be a deduction under section 104(a)(1)(B) of title 23, United States Code, and the sum so deducted shall remain available until expended; and

(deduct a sum in such amount not to exceed 2.5 percent of all sums so made available, as the Secretary determines necessary, to administer the provisions of law to be financed from appropriations for motor carrier safety programs and motor carrier safety research: Provided, That any deduction by the Secretary of Transportation in accordance with this subsection shall be deemed to be a deduction under section 104(a)(1)(B) of title 23, United States Code, and the sum so deducted shall remain available until expended; and

(b) Funds provided in Public Law 106-69 for the Wilmington, Delaware downtown connector and funds provided in Public Law 106-346 for the downtown connector project shall be available for Wilmington, Delaware commuter rail improvements.

(b) Funds provided in Public Law 106-346 for Missoulava Railvall Transportation Management Administration bus bases shall be available for Missoulava Railvall Transportation Management Administration bus bases and bus facilities.

SEC. 325. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegraph, telephone, radio, television, video presentation, electronic communications, or other device, intended or designed to influence in any manner a Member of Congress or of a State legislature to favor or oppose by vote or otherwise, any legislation or appropriation by Congress or by a State legislature after the introduction of any bill or resolution in Congress proposing such legislation or appropriation, or after the introduction of any bill or resolution in a State legislature proposing such legislation or appropriation: Provided, That this shall not present officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress or to Congress, on the request of any Member, or to members of State legislatures, or to a State legislature, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient performance of their duties.

SEC. 322. (a) Funds provided in Public Law 106-69 for the Wilmington, Delaware downtown connector and funds provided in Public Law 106-346 for the downtown connector project shall be available for Wilmington, Delaware commuter rail improvements.

(b) Funds provided in Public Law 106-346 for Missoulava Railvall Transportation Management Administration bus bases shall be available for Missoulava Railvall Transportation Management Administration bus bases and bus facilities.

SEC. 323. (a) None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds that entity will comply with the Buy American Act, (41 U.S.C. 3301-3305). and in the case of any equipment or product that may be authorized to be purchased with financial assistance provided using 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 extent practicable.

(b) SENSE OF THE CONGRESS: REQUIREMENT REGARDING NOTICE.—

(1) 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 using 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 extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency may by order, or by letter, or by notice or otherwise, require that the entity receiving the assistance notify the Federal agency of the application of the funds made available in this Act for the purpose of carrying out the purpose of Title 23, United States Code, to make transfers in accordance with section 1395 of title 23.

SEC. 324. (a) Funds made available in this Act shall be subject to all the provisions of law to be financed from appropriations for motor carrier safety programs and motor carrier safety research: Provided, That any deduction by the Secretary of Transportation in accordance with this subsection shall be deemed to be a deduction under section 104(a)(1)(B) of title 23, United States Code, and the sum so deducted shall remain available until expended; and

(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 in-
of Transportation and the Nuclear Regulatory Commission, selects routes for the shipment of spent nuclear fuel from research nuclear reactors between or among existing Department of Energy sites, and thereby 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—

(1) selects potential routes for the shipment of spent nuclear fuel from research nuclear reactors between or among existing Department of Energy sites currently licensed to accept such spent nuclear fuel;

(2) designs such a route for a specific shipment of such spent nuclear fuel; and

(3) conducts assessments of the risks associated with shipments of spent nuclear fuel along such routes.

(c) The analysis under subsection (b) shall include a consideration whether, and to what extent, the procedures analyzed for purposes of that subsection take into account the following:

(1) The proximity of the routes under consideration to major population centers and the risks associated with shipments of spent nuclear fuel along such routes of nuclear reactors through densely populated areas.

(2) Current traffic and accident data with respect to the routes under consideration.

(3) Lands Highway Program routes comprising the routes under consideration.

(4) Emergency response capabilities along the routes under consideration.

(5) The proximity of the routes under consideration to places or venues (including sports stadiums, convention centers, concert halls and theaters, and other venues) where large numbers of people gather.

(d) In conducting the study under subsection (a), the National Academy of Sciences shall also make recommendations regarding the matters studied as the National Academy of Sciences considers appropriate.

(e) The Secretary shall disperse to the National Academy of Sciences the funds for the cost of the study required by subsection (a) not later than 30 days after the date of enactment of this Act.

(f) Not later than six months after the date of the dispersal of funds under subsection (e), the National Academy of Sciences shall submit to the appropriate committees of Congress a report on the study under subsection (a), including the recommendations required by subsection (d).

(g) In this section, the term "appropriate committees of Congress" means—

(1) the Committees on Commerce, Science, and Transportation, Energy and Natural Resources, and Environment and Public Works of the Senate;

(2) the Committee on Energy and Commerce of the House of Representatives; and

(3) the committees on Appropriations of the House of Representatives and the Senate.

SEC. 334. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations in the implementation of programs to provide to the Federal Aviation Administration and the Transportation Security Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, aviation security or weather reporting; Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "belo?market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities and the TSA for necessary security checkpoints.

SEC. 335. Using up to $300,000 of the amount appropriated for the improvement of the maintenance of Transportation for the Coast Guard for acquisition, construction, and improvements by title I of Public Law 107–87 (115 Stat. 836), 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 Escanaba Outer Harbor Breakwater, Escanaba, Michigan, a facility used by the Coast Guard.

SEC. 336. For the purpose of any applicable law, for fiscal year 2003, the city of Norman, Oklahoma, is hereby considered to be part of the Oklahoma City Transportation Management Area.

SEC. 337. 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 may 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 accept and utilize such funds only for the purpose of facilitating the timely processing, review, and completion of environmental activities associated with such project.

SEC. 338. (a) In GENERAL.—Notwithstanding any other provision of subsection I of Chapter 471 of title 49, United States Code, the Administrator may provide grants to an airport sponsor to acquire or operate airport facilities, including runways, taxiways, and other venues) where large numbers of people gather.

(b) PLACEMENT OF AIRPORT.—The airport projects provided for in subsection (a) shall be located in or near a densely populated area.

(c) APPROPRIATIONS TO SUPPORT AIRPORT.—The Administrator shall allocate to the Administrator of the Federal Highway Administration $10,000,000 of funds allocated under Section 410 of title 23, United States Code, for grants and loans under section 410 of title 23, United States Code, to airport sponsors to support airport projects.

(d) ELIGIBILITY.—The airport projects provided for in subsection (a) shall be located in or near a densely populated area.

SEC. 339. For an airport project that the Administrator determines will add critical airport capacity to the national air transportation system, the Administrator may 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 accept and utilize such funds only for the purpose of facilitating the timely processing, review, and completion of environmental activities associated with such project.

SEC. 340. For purposes of Section 104 of title 49, United States Code, as amended, any funds provided for the construction of a Hoover Dam By-pass Bridge shall be considered to be part of the federal share for such project.

SEC. 341. For purposes of Section 104 of title 49, United States Code, as amended, any funds provided for the construction of a Hoover Dam By-pass Bridge shall be considered to be part of the federal share for such project.

SEC. 342. For purposes of Section 104 of title 49, United States Code, as amended, any funds provided for the construction of a Hoover Dam By-pass Bridge shall be considered to be part of the federal share for such project.

SEC. 343. (a) In GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Transportation shall enter into public-private partnerships and other cooperative arrangements to provide Federal funds, or provide administrative support, for the construction of airport facilities.

(b) METHODS OF FUNDING.—(1) The provisions of this section shall apply to the construction of an air traffic control tower.

(2) The construction and installation of air traffic control equipment installed in the air traffic control tower that will assist in sustaining or improving the safe and efficient movement of air traffic:

SEC. 344. None of the funds appropriated or otherwise made available in this Act shall be used to construct or operate any part of the United States Airline Safety and System Improvement Program established under section 103 of title 49, United States Code.

SEC. 345. For fiscal year 2003, notwithstanding any other provision of law, historic covered bridges eligible for Federal assistance under section 1224 of the Transportation Equity Act for the 21st Century, as amended, may be funded from amounts set aside for the discretionary bridge program.
project and include a table detailing unbilled balances to date and anticipated unbilled balances at the close of the fiscal year and the close of the following fiscal year should the Appropriations Act be enacted without request for the acquisition, construction, and improvements account be fully funded: Provided further, That such acquisition reports shall also provide abbreviations and information on the status of several utility construction and renovation projects: Provided further, That all information submitted in such mission hour estimates and acquisition reports shall be current as of the last day of the preceding quarter.

SEC. 347. Of the funds made available in fiscal year 2003 in Section 1603 of Public Law 106–178, as amended, $56,638,000, which limits fiscal year 2003 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than $75,143,000, that such reductions from the budget request shall be allocated by the Department of Transportation to each appropriation account in proportion to the amount included in such appropriation for the Transportation Administrative Service Center.

SEC. 348. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by $56,638,000, which limits fiscal year 2003 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than $75,143,000, that such reductions from the budget request shall be allocated by the Department of Transportation to each appropriation account in proportion to the amount included in such appropriation for the Transportation Administrative Service Center.

SEC. 349. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in Public Law 107–67, as amended.

SEC. 350. (a) Notwithstanding any other provision of law, and subject to the requirements of this section, the Secretary of Transportation is authorized to lease any of the terms, conditions, reservations, and restrictions contained in the deeds of conveyance and subsequent corrections to the deeds of conveyance under which the United States has 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 waivers are granted under subsection (a), and any subsequent conveyance of the property shall be used by the city for the development, improvement, operation, or maintenance of the Gadsden Municipal Airport.

(2) Any conveyance to the airport fund that supports the Gadsden Municipal Airport an amount which is equal to the fair lease value or the fair market value, as the case may be, of the property for which waivers are granted under subsection (a) unless any of the airport property is subject to a taking and condemnation by the federal government.

SEC. 351. Section 1603(b)(1) of the Intermodal Surface Transportation Efficiency Act of 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 vehicles 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. 12131));

(B) any other vehicle that”;

SEC. 352. Notwithstanding any other provision of law, funds made available for construction of roads or facilities to 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 1982 (42 U.S.C. 4614(a)(87)) is amended—

(1) to dotastic, consisting of—

(1) construction of Nelson Access Road to the Port of Lake Charles, as described in item 105 of the table contained in section 1602 of the Transportation Efficiency Act for the 21st Century (112 Stat. 315);

(2) reconstruction of Cove Lane; and

(3) planning, design, and construction of Port Access Road.

SEC. 353. Section 342 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”.

SEC. 354. 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”.

SEC. 355. In addition to amounts otherwise available made by this Act, there is hereby appropriated $3,300,000, to remain available until expended, to enable the Secretary to maintain operations of the Midway Island airport for a period of not less than one year beyond the date at which the U.S. Fish and Wildlife Service ceased said operations.

SEC. 356. (a) EFFECTIVE DATE.—As soon as practicable after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall enter into a cooperative agreement with the National Academy of Sciences to evaluate the impact of the final rule relating to prevention of significant deterioration and nonattainment new source review, published at 68 FR 19,676 (December 31, 2002). The study shall include—

(1) increases or decreases in emissions of pollutants regulated under the New Source Review program;

(2) impacts on human health;

(3) pollution control and prevention technologies installed after the effective date of the rule at facilities covered under the rulemaking;

(4) increases or decreases in efficiency of operations, including energy efficiency, at covered facilities;

and

(5) other relevant data.

(b) DEADLINE.—The NAS shall submit an interim report to Congress no later than March 3, 2004, and a final report on implementation of the rules.

SEC. 357. Section 145(c) of Public Law 107–171 is amended by striking the number (18) and inserting the number (19) and—

(1) by striking “Susquehanna Greenway, Maryland”.

(2) by striking “(c)(2) planning, design, and construction of Port of Havre de Grace Ferry service and facilities.” and inserting “(c)(2) planning, design, and construction of Port of Havre de Grace Ferry service and facilities.”

SEC. 358. SUSQUEHANNA GREENWAY, MARYLAND. The table contained in section 1602 of the Transportation Equity Act for the 21st Century is amended in item 103 (112 Stat. 316) by striking “Construct pedestrian bicycle bridge across Susquehanna River between Havre de Grace and Perryville” and inserting “Develop Lower Susquehanna Heritage Greenway, including acquisition of property, construction of hiker-biker trails, and construction or use of docks, ferry boats, bridges, or canoes to convey bikers and pedestrians across the Susquehanna River between Cecil County and Harford County”.

This division may be cited as the “Department of Transportation and Related Agencies Appropriations Act, 2003 DIVISION I—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.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENT OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of the Treasury, including operation of the Treasury Building and Annex; hire of pas-

senger motor vehicles; maintenance, repairs, and improvements of, and purchase of commer-

cial insurance policies for, real properties leased or owned overseas, when necessary for the per-

formance of official business; not to exceed $3,500,000 for official travel expenses; not to ex-

ceed $3,500,000 for official travel expenses; not to exceed $6,000,000 for official travel expenses; not to exceed $2,500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certification. $191,587,000, to remain available until expended.

For the Department-wide Financial Management and Audit Program, of which such amounts as may be nec-

essary may be transferred to accounts of the De-

partment of Commerce and other appropriate au-

ditors: Provided further, That this transfer au-

tority shall be in addition to any other pro-

vided in this Act.

DEPARTMENT–WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and serv-

ices for the Department of the Treasury, not to exceed $2,500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certification. $191,587,000, to remain available until expended. Provided, That these funds shall be transferred to accounts and in amounts as necessary to sat-

sify the requirements of the Department’s of-

fices and bureaus: Provided further, That these funds shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems or Business Systems Modernization.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspec-

tor General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel ex-

penses, including hire of passenger motor vehi-

cles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allo-

cated 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 ex-

penses.
and expended under the direction of the Inspector General for Tax Administration, $122,962,000.  
AIR TRANSPORTATION STABILIZATION PROGRAM
For necessary expenses to administer the Air Transportation Stabilization Board established by section 212 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42), $6,041,000, to remain available until expended.
TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION
For the repair, alteration, and improvement of the Treasury Building and Annex, $30,932,000, 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 funds to become available upon authorization of this program as provided by law and to remain available until expended: Provided, That these funds shall be available to any Department of State, diplomatic or consular, or the Secretary, to arrange or sponsor, with the Department of Housing and Urban Development, or any other Federal agency, or any State, local, or tribal government, or any combination of Federal, State, local, or tribal governments, a program to provide financial services to the general public, including:  
I. Financial, educational, and counseling services 
II. Free or low-cost financial counseling and access to consumer financial products such as checking, saving, or loan accounts; 
III. The establishment and operation of community bank branches; and 
IV. Provisions to allow residents to take advantage of direct deposit for government payments.
COUNTERTERRORISM FUND
For necessary expenses, as determined by the Secretary, $20,000,000, to remain available until expended for the Department of State, to be provided from any Department, Treasury organization for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of reasonable expenses incurred in connection with these activities: Provided, That use of such funds shall be subject to prior approval of the Committees on Appropriations in accordance with guidelines for reprogramming and transfer of funds.
FINANCIAL CRIMES ENFORCEMENT NETWORK
SALARIES AND EXPENSES
For necessary expenses of the Financial Crimes Enforcement Network, including salaries authorized by 31 U.S.C. 3109, $8,338,000; of which not to exceed $9,220,000 shall remain available until September 30, 2005; and of which not to exceed $3,400,000 shall remain available until the end of the fiscal year: Provided further, That the appropriation for the current fiscal year shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement activities 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 training and representation expenses; for training of foreign law enforcement officials on a space-available basis; for the provision of laboratory assistance to local governments for Gang Resistance Education and Training; and of which $3,200,000 for a new headquarters shall remain available until September 30, 2004: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, 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 none of the funds appropriated herein shall be available in connection with any application for relief from Federal firearms disabilities under 18 U.S.C. 925(c); Provided further, That such funds shall be available to invest in the United States Customs Service, including purchase and lease of up to 1,500 motor vehicles of which 500 are for replacement only and of which 1,465 are for police-type use; hiring of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; and not to exceed $12,029,000 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 crime drug trafficking, including cooperation 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, $220,646,000, of which not to exceed $9,220,000 shall remain available until September 30, 2005, for information systems modernization in support of mission objectives; of which not to exceed $2,500 shall be available for official reception and representation expenses.
which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended (19 U.S.C. 2101(f)(3)), shall be derived from such Account; of the total, not to exceed $150,000 shall be available for payment for rent-
al space in connection with preclearance opera-
tions of the United States Customs and Border
Enforcement (CBP); and not to exceed $100,000 shall be available until expended for research; not less than $100,000 shall be available to promote public
awareness of the child pornography pipeline; not less than $10,000,000 shall be available until expended for the procurement of automation infrastructure
items, including hardware, software, and instal-
lation; and not to exceed $5,000,000 shall be available until expended for repairs to Customs
facilities: Provided, That of the total amount of
funds made available for forced child labor ac-
tivities in fiscal year 2003, not to exceed $8,000,000 shall be available until expended for
operations and support of such activities: Provided
further, That uniforms may be pur-
chased without regard to the general purchase
price ceiling pursuant to the General
Accounting Office: Provided further,
That notwithstanding any other provision of law, the fiscal year aggregate over-
time limitation prescribed in subsection (c)(1) of
the Act of August 5, 1911 (19 U.S.C. 261 and
267) shall be $30,000.

HARBOR MAINTENANCE FEE COLLECTION
(INCLUDING TRANSFER OF FUNDS)

For administrative expenses related to the col-
lection of the Harbor Maintenance Fee, pursuant
to Public Law 103–182, $3,000,000, to be de-
ferred from the Harbor Maintenance Trust Fund
and transferred, without regard to the current fiscal
year appropriations, to the Customes' Salaries and
Expenses account for such purposes.

OPERATION, MAINTENANCE AND PROCUREMENT, AND SUPPORT PROJECTIONS

For expenses, not otherwise provided for, nec-

essary for the operation and maintenance of

marine vessels, aircraft, and other related equip-
ment of the Air and Marine Programs, including
operational training and mission-related travel,
and rental payments for facilities occupied by
the air or marine interdiction and demand re-
duction operations of the Department of
include the following: the interdiction of narcotics
and other goods; the provision of support to
Customs and other Federal, State, and local agen-
cies; the enforcement of customs and immigration
laws enforced by the Customs Service; and, at
the discretion of the Commissioner of Customs,
the provision of assistance to Federal, State,
and local law enforcement and emergency
humanitarian efforts, $77,829,000, which shall
remain available until expended: Provided,
That no aircraft or other related equip-
ment, with the exception of aircraft which
is one of a kind and has been identified as ex-
cess to Customs requirements and aircraft
which has been damaged beyond repair, shall be
transferred to any Federal, State, local
agency, department, or office outside of the
Department of the Trea-
ury, during fiscal year 2003 without the prior
approval of the Committees on Appropriations.

AUTOMATION MODERNIZATION

For expenses not otherwise provided for Cus-
toms automated systems, $435,332,000, to remain
available until expended, of which not less than
$122,900,000 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 expen-
diture that: (1) meets the capital planning and
investment control requirements established by
the Office of Management and Budget, including
OMB Circular A–11, part 3; (2) complies with the
United States Customs Service's Enterprise Information Systems Archi-
technology: (3) complies with the acquisition rules,
requirements, guidelines, and systems acquisi-
tion management policies of the Department of
Treasury; and (4) is reviewed and approved by the
Customs Investment Review Board, the Depart-
ment of the Treasury, and the Office of Man-
agement and Budget: Provided, Further,
That none of the funds appropriated under this
heading may be transferred to any other Federal agency, department,
related to any other Federal agency, department,

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 1316 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 obliga-
tions incurred during fiscal year 2003 under such section $156,000 for circulating coinage and $108,500 for protective services of the United States Mint shall be $34,900,000.

BROURE OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any
debt-service issues of the United States, $436,000,000, of which not to exceed $3,950,000 shall be available for official reception and representa-
tion expenses, and of which not to exceed
$2,000,000 shall remain available until expended
for the expenses of the Internal Revenue
Service's enterprise life cycle methodology;
(3) conforms with the Internal Revenue
Service's enterprise architecture, information technology blueprint; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of
Management and Budget; (5) has been re-
viewed by the General Accounting Office; and
(6) complies with the acquisition rules, require-
ments, guidelines, and systems modernization
practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any ap-
propriation made available in this Act to the
Internal Revenue Service may be transferred to
any other Internal Revenue Service appropri-
ation without the prior approval of the Com-
mittees 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
taxpayers, and in cross-cultural relations.
The Internal Revenue Service shall institute
and enforce policies and procedures that
will safeguard the confidentiality of tax-
payer information.

SEC. 104. Funds made available by this or any
other Act to the Internal Revenue Service shall be
available for improved facilities and in-
creased manpower to provide sufficient and ef-
fective 1–800 help line service for taxpayers.
The Commissioner shall continue to make the
improvement of the Internal Revenue Service 1–800
help line service a priority and allocate re-
sources necessary to an investigation 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 ex-
cede 610 vehicles for police-type use for replace-
ment only, and hire of passenger motor vehicles;
purchase of American-made side-car compatible
motorcycles; hire of aircraft; training and assist-
ance requested by State and local governments,
which may be provided without reimbursement;
$61,444,000, of which not to exceed $1,632,444,000, which shall remain available until
lighting, guard booths, and other facilities on or in property owned or controlled, as may be necessary to perform their duties as they enter Canada.

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 obligated until the Secretary of the Treasury determines they enter Canada from the United States before they enter Canada.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Department of the Treasury may be used for travel in support of protective research and operations; and for uniforms for agents serving in foreign countries; and for travel of personnel serving in foreign countries.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Treasury Inspector General for Tax Administration’s appropriation upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated unless the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Department vehicle management procedures. Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from “Salaries and Expenses”, “Printing and Fees Collected”, and “Reimbursable Costs” to the Debt Services Account as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such Salaries and Expenses accounts as the Secretary receives collections received in the Debt Services Account.

SEC. 119. Section 120(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking “4 years” and inserting “5 years”.

SEC. 120. None of the funds appropriated or otherwise available by this Act or the Federal Reserve Act may be used to construct or operate any museum without the advance notification of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 121. None of the funds appropriated or made available by this Act may be used for the production of Customs Declarations that do not inquire whether the passenger had been in the proximity of livestock.

SEC. 122. The Federal Law Enforcement Training Center may be used as an accrediting body that will include representatives from the Federal law enforcement community, as well as non-Federal accreditation experts in a voluntary role. The purpose of this body will be to establish standards for measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 123. The Treasury Department Appropriations Act, 1997 (as contained in section 101(f) of Division A of Public Law 104-208), is further amended by striking “90 calendar days” and inserting “120 calendar days”.

SEC. 124. LICENSE PROCEDURES FOR OFFICE OF FOREIGN ASSETS CONTROL. Notwithstanding any other provision of law, none of the funds appropriated to “Departmental Offices, Salaries and Expenses” for use by the Office of Foreign Assets Control may be expended until the Office has in place a plan for the administration of licenses for travel following the procedures:

(1) All applications for licenses pertaining to travel in support of protective research and operations shall be reviewed by the Office of Foreign Assets Control shall be considered approved if not resolved within 90 calendar days after receipt of the completed license applications;

(2) Whenever the Office decides to deny a license application pertaining to travel-related transactions, the Office shall notify the applicant in writing. The notification will include:

(A) The statutory and regulatory basis for the denial;

(B) To the extent consistent with the national security of the United States, the specific considerations that led to the decision to deny the license application and;

(C) The name, phone number, and e-mail address of the Office representative in a position to discuss the issues with the applicant.

(3) The above-outlined procedures shall be effective 120 days from the date of enactment.

SEC. 125. (a) The Commissioner of Customs, in consultation with the Canadian Customs and Revenue Agency (CCRA), shall provide appropriate funding for Integrated Border Inspection Areas (IBIAs) on either side of the United States-Canada border in which United States Customs officers can inspect vehicles entering the United States from Canada before they enter the United States, or Canadian customs officers can inspect vehicles entering Canada from the United States before they enter Canada.

(b) Using the authority granted under section 629(a) of the Tariff Act of 1930, the Commissioner of Customs, 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 experienced backups and delays since September 11, 2001; and

(2) ensure that United States Customs officers stationed in any IBIA on the Canadian side of the border are vested with the maximum authority to carry out their duties and enforce United States law; and

(3) encourage appropriate officers of the United States to enter into an agreement with Canada permitting Canadian customs officers stationed in any IBIA on the United States side of the border to exercise the authority to enforce Canadian law as permitted by section 244 of title 19, United States Code.

(c) United States Customs officers stationed in an IBIA, on the Canadian side of the border, shall be afforded the same privileges 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 afforded 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 PUBLIC SERVICE AND DEVELOPMENT ACT.—For fiscal year 2003 and thereafter, section 116 of the John C. Stennis Center for Public Service Training and Development Act (5 U.S.C. 1105) is amended by striking subsection (b) and inserting the following:

(b) INVESTMENT OF FUND AMOUNTS:

(1) At the request of the Center, it shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated to the fund. Such investments may be made in interest-bearing obligations of the United States issued directly to the fund.

(2) The purposes for which obligations of the United States may be issued under the provisions of Title 31 of the United States Code are hereby extended to authorize the issuance at par of special obligations directly to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding 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 not a multiple of one-eighth of 1 percent, the rate of interest of such special obligations shall be increased to the next higher rate by the amount of one-eighth of 1 percent next lower than such average rate. All requests of the Center to the Secretary of the Treasury provided for in this section shall be binding upon the Secretary.
TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE COMMISSIONER 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, $459,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall be available for official purposes under 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 of the White House as authorized by law, including not to exceed $5,850,000 for official entertainment expenses of the Executive Residence, $155,000,000 for the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial expenses, and the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard format and accounting of any such expense as political or non-political: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of chapter 75 of title 5, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $1,200,000, to remain available until expended, for required maintenance, safety and health upgrades, and continued preventative maintenance.

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 functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in section 3109 of title 31, United States Code.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, to be expended and accounted for solely on his certificate, $324,000: Provided, That advances or payments from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES


OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109, to be expended and accounted for solely on his certificate, $302,000: Provided, That the Secretary of the Treasury shall make available to the Committee the allocable amount of any other purpose and any unused amount from such appropriation that the Committee determines is allocable to the Committee.
includes an Enterprise Architecture, as defined in
OMB Circular A-130 and the Federal Chief
Information Officers Council guidance; (2) pre-
sents an Information Technology (IT) Human
Capital Plan, an inventory of current
IT workforce knowledge and skills, a definition
of needed IT knowledge and skills, a gap anal-
ysis of any shortfalls, and a plan for addressing
any shortfalls in 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 Congress.

OFFICE OF MANAGEMENT AND BUDGET
SALARIES AND EXPENSES

For necessary expenses of the Office of Man-
agement and Budget, including hire of pas-
senger motor vehicles and services as authorized
by 5 U.S.C. 310, $70,752,000, of which not to ex-
ceed $5,000,000 shall be available to carry out
the provisions of chapter 35 of title 44, United
States Code, and of which not to exceed $3,000
shall be available for official representation ex-
ceptions: Provided, That, as provided in 31 U.S.C.
1301(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
for the purpose of carrying out 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 tran-
script of actual testimony of witnesses, except
for testimony of officials of the Office of
Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: Provided further,
That the preceding shall not apply to printed
hearings released by the Committees on Appropria-
tions or the Committees on Veterans' Af-
airs.

OFFICE OF NATIONAL DRUG CONTROL
POLICY
SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Na-
tional Drug Control Policy; for research activi-
ties pursuant to the Office of National Drug
Control Policy Reauthorization Act of 1998 (21
U.S.C. 1701 et seq.), $172,700,000, to remain available until expended, of which the
following amounts shall be made available for:
(1) In the national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998:
$60,000,000 to continue a program of placing
national media advertising in which the
President, at his discretion, shall direct
$2,000,000 shall be directed a grant to the
Community Anti-Drug Coalitions of America for the
National Community Anti-Drug Coalition Instit-
ute, as authorized in chapter 2 of the National
Narcotics Leadership Act of 1988, as amended;
$3,000,000 for the Counterdrug Intelligence Execu-
tive Secretariat; $2,000,000 for evaluations and
related research for the National Drug Control Pro-
gram performance measures; $1,000,000 for the
National Drug Court Institute; $5,900,000 for the
United States Anti-Doping Agency for anti-
doping activities; and $800,000 for the United
States membership dues to the World Anti-
Doping Agency: Provided, That such funds may be
transferred to other Federal departments and
agencies to the extent necessary.

UNANTICIPATED NEEDS

For expenses necessary to enable the Presi-
dent to meet unanticipated needs, in fur-
therance of the national interest, security, or de-
fense which may arise at home or abroad during the
current fiscal year, as authorized by 3 U.S.C.
198, $1,000,000.

This title may be cited as the "Executive Of-
fice Appropriations Act, 2003".

TITLES IV—INDEPENDENT AGENCIES
COMMITTEE FOR PURCHASE FROM PEOPLE
WHO ARE BLIND OR SEVERELY DISABLED
SALARIES AND EXPENSES

For necessary expenses of the Committee for
Purchase From People Who Are Blind or Se-
verely Disabled established by Public Law 92–28,
$4,629,000.

FEDERAL ELECTION COMMISSION
SALARIES AND EXPENSES

For necessary expenses to carry out the provi-
sions of the Federal Election Campaign Act of 1971, as amended, $45,824,000, of which not to
exceed $5,000 shall be available for receipt and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY
SALARIES AND EXPENSES

For necessary expenses to carry out functions of
the Federal Labor Relations Authority, pur-
suant to Reorganization Plan Number 2 of
1978, and the Civil Service Reform Act of 1978,
including and including hire of experts and consultants, hire of passenger motor vehicles, and rental of
conference rooms in the District of Columbia and
elsewhere, $28,577,000, of which not to exceed
$5,000 shall be available for representation expenses.

GENERAL SERVICES ADMINISTRATION
REAL PROPERTY ACTIVITIES
FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE
(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in,
and used for the purposes of, 5 U.S.C. 3109,
and established pursuant to section 210(f) of the
The revenues and collections deposited into the
Fund shall be available for necessary expenses of real property management and related activi-
ties not otherwise provided for, including oper-
ating services incident to the planning, design,
construction, and maintenance of federal
owned and leased buildings; rental of buildings in the District of Columbia; restoration of
leased premises; moving governmental agencies (includ-
ing space adjustments and telecommunications relocation expenses) in connection with the
assignment, allocation and transfer of space;
contractual services incident to cleaning or servi-
cing buildings, and moving; repair and alter-
ation of federally owned buildings including
grounds, approaches and appurtenances; care and
safeguarding of sites; maintenance, preserv-
ance, and representation expenses.

OUTSIDE CONSTRUCTION OF BUILDINGS

Purchase From People Who Are Blind or Se-
verely Disabled established by Public Law 92–28,
$4,629,000.

FEDERAL ELECTION COMMISSION
SALARIES AND EXPENSES

For necessary expenses to carry out the provi-
sions of the Federal Election Campaign Act of 1971, as amended, $45,824,000, of which not to
exceed $5,000 shall be available for receipt and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY
SALARIES AND EXPENSES

For necessary expenses to carry out functions of
the Federal Labor Relations Authority, pur-
suant to Reorganization Plan Number 2 of
1978, and the Civil Service Reform Act of 1978,
including and including hire of experts and consultants, hire of passenger motor vehicles, and rental of
conference rooms in the District of Columbia and
elsewhere, $28,577,000, of which not to exceed
$5,000 shall be available for representation expenses.

GENERAL SERVICES ADMINISTRATION
REAL PROPERTY ACTIVITIES
FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE
(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in,
and used for the purposes of, 5 U.S.C. 3109,
and established pursuant to section 210(f) of the
The revenues and collections deposited into the
Fund shall be available for necessary expenses of real property management and related activi-
ties not otherwise provided for, including oper-
ating services incident to the planning, design,
construction, and maintenance of federal
owned and leased buildings; rental of buildings in the District of Columbia; restoration of
leased premises; moving governmental agencies (includ-
ing space adjustments and telecommunications relocation expenses) in connection with the
assignment, allocation and transfer of space;
contractual services incident to cleaning or servi-
cing buildings, and moving; repair and alter-
ation of federally owned buildings including
grounds, approaches and appurtenances; care and
safeguarding of sites; maintenance, preserv-
ance, and representation expenses.

OUTSIDE CONSTRUCTION OF BUILDINGS

Purchase From People Who Are Blind or Se-
verely Disabled established by Public Law 92–28,
$4,629,000.

FEDERAL ELECTION COMMISSION
SALARIES AND EXPENSES

For necessary expenses to carry out the provi-
sions of the Federal Election Campaign Act of 1971, as amended, $45,824,000, of which not to
exceed $5,000 shall be available for receipt and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY
SALARIES AND EXPENSES

For necessary expenses to carry out functions of
the Federal Labor Relations Authority, pur-
suant to Reorganization Plan Number 2 of
1978, and the Civil Service Reform Act of 1978,
including and including hire of experts and consultants, hire of passenger motor vehicles, and rental of
conference rooms in the District of Columbia and
elsewhere, $28,577,000, of which not to exceed
$5,000 shall be available for representation expenses.

GENERAL SERVICES ADMINISTRATION
REAL PROPERTY ACTIVITIES
FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE
(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in,
and used for the purposes of, 5 U.S.C. 3109,
and established pursuant to section 210(f) of the
The revenues and collections deposited into the
Fund shall be available for necessary expenses of real property management and related activi-
ties not otherwise provided for, including oper-
ating services incident to the planning, design,
construction, and maintenance of federal
owned and leased buildings; rental of buildings in the District of Columbia; restoration of
leased premises; moving governmental agencies (includ-
ing space adjustments and telecommunications relocation expenses) in connection with the
assignment, allocation and transfer of space;
contractual services incident to cleaning or servi-
cing buildings, and moving; repair and alter-
ation of federally owned buildings including
grounds, approaches and appurtenances; care and
safeguarding of sites; maintenance, preserv-
ance, and representation expenses.
Angeles Street, $93,166,000

of a greater amount:

exceed 10 percent unless advance approval is ob-

project may be increased by an amount not to

cludes associated design and construction serv-

Provided further, That funds available in the

for emergency repairs when advance approval is

obtained from the Committees on Appropriations:

Provided Further, That amounts necessary to

such agencies under section 210(j)(6) of the Federal

Property and Administrative Services Act of 1949,
as amended, to the United States to perform its

protective functions pursuant to 18 U.S.C. 3056,

shall be available from such receipts

and collections and any other sums accruing to this

Fund during fiscal year 2003, excluding reimbursements

under section 210(j)(6) of the Federal Property and

Administrative Services Act of 1949.

Nonprospectus Construction, $8,253,000:

Nonprospectus Construction, $8,253,000:

Provided further, That all funds for direct con-

struction projects shall expire on September 30,

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 repairs and alterations which in-

cludes associated design and construction serv-

ices: Provided further, That funds in the Fed-

eral Buildings Fund for Repairs and Alterations

shall, for prospectus projects, be limited to the

amount by project, as follows, except each

project may be increased by an amount not to

exceed 10 percent unless advance approval is

obtained from the Committees on Appropriations

of a greater amount:

Repaired and Alterations:

California:

Los Angeles, Federal Building, 300 North Los

Angeles Street, $93,166,000

San Francisco, Appraiser Building,
$20,281,000

Tecate, Tecate United States Border Station,
$5,709,000

Colo.:

Denver, Byron G. Rogers Federal Building
and Courthouse, $9,000,000

Connecticut:

New Haven, Robert N. Gaimo Federal Build-

ing, $18,397,000

District of Columbia:

Federal Office Building 10A Garage, $5,454,000

Harry S Truman Building (State), $29,443,000

Illinois:

Chicago, United States Custom House,
$9,000,000

Iowa:

Davenport, Federal Building and United
States Courthouse, $12,906,000

Maryland:

Baltimore, Metro West, $6,162,000

Woodlawn, Operations Building, $96,905,000

Massachusetts:

Boston, John F. Kennedy Federal Building
Plaza, $2,171,000

Missouri:

Kansas City, Bannister Federal Complex,
Building 1, $16,139,000

Kansas City, Bannister Federal Complex,
Building 2, $3,148,000

New Hampshire:

Manchester, Norris Cotton Federal Building,
$17,668,000

Portsmouth, Thomas J. McIntyre Federal
Building, $11,149,000

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

Pittsburgh, William S. Moorhead Federal
Building, $68,793,000

Texas:

Dallas, Earle Cabell Federal Building—Court-
house and Santa Fe Federal Building,
$16,394,000

Fort Worth, Fritz Garland Lanham Federal
Building, $15,249,000

Washington:

Seattle, Henry M. Jackson Federal Building,
$26,832,000

Nationwide:

Chlorinated Hydrocarbons Program, $8,000,000

Design Program, $52,527,000

Elevator Program, $21,533,000

Energy Program, $8,000,000

Glass Fragmentation Program, $20,000,000

Terrorism, $10,000,000

Basic Repairs and Alterations, $367,340,000:

Provided further, That additional projects for

which prospectus has not been approved, but

may be funded under this category only if ad-

vance approval is obtained from the Committees

on Appropriations: Provided further, That the

amounts provided in this or any prior Act for

“Repairs and Alterations” may be used to fund

costs associated with implementing security im-

provements to buildings necessary to meet the

minimum standards for security in accordance

with current law and in compliance with the re-

programming guidelines of the appropriate Com-

mittees of the House and Senate: Provided fur-

ther, That the difference between the funds ap-

propriated and expended on any projects in this

or any prior Act, under the heading “Repairs

and Alterations”, may be transferred to Basic

Repairs and Alterations or used to fund ar-

chived increases in prospectus projects: Provided

further, That all funds for repairs and alter-

ations prospectus projects shall expire on Sep-

tember 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.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of In-

spector General and services authorized by 5

U.S.C. 3109, $3,617,000: Provided, That the

to $15,000 shall be available for payment for

information and detection of fraud against the

Government, including payment for recovery of

stolen Government property: Provided further,

That not to exceed $2,500 shall be available for

awards to employees of other Federal agencies

or private citizens in recognition of efforts and

initiatives resulting in enhanced Office of In-

spector General effectiveness.
ELECTRONIC GOVERNMENT FUND
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, including development and implementation of innovative uses of the Internet and other electronic methods, $5,000,000, to remain available until expended: 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 this Act.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received by the Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire or purchase of persons, vehicles, or services.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2003 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2004 request for United States Courthouse construction that: (a) was not consistent with the design guidelines and standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Congress; and (b) is not consistent with the standards set forth in the Wright Act (20 U.S.C. 129) and does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: Provided, That such review shall be accomplished by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided by the Federal Building 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 Public Buildings Amendments Act of 1972 (Public Law 92-313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund and the General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 512(b) and 513(b) 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 or to be repaid to the General Services Administration from 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 with prior notification to the Committees on Appropriations.

SEC. 408. DESIGNATION OF THE JUDGE DANNY M. RUSSELL, JR., FEDERAL BUILDING AND UNITED STATES COURTHOUSE. (a) The Federal building and United States courthouse located at 2015 15th Street in Gulfport, Mississippi, shall be known and designated as the "Judge Danny 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 Danny M. Russell, Jr. Federal Building and United States Courthouse".

(c) Funds made available in previous appropriations Acts for site acquisition of a new courthouse in Salt Lake City, as well as funds that may be made available for such project in fiscal year 2003 appropriations Acts, shall be available to carry out the purposes of subsections (a) and (b).

SEC. 414. DESIGNATION OF NATHANIEL R. JONES FEDERAL BUILDING AND UNITED STATES COURTHOUSE. (a) In general.—The Federal building and United States courthouse located at 10 East Commerce Street in Youngstown, Ohio, shall be known and designated as the "Nathaniel R. Jones Federal Building and United States Courthouse".

(b) REFERENCES.—Any reference in a 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 "Nathaniel R. Jones Federal Building and United States Courthouse".

SEC. 415. None of the funds provided in this Act may be used to repay to the National Archives and Records Administration any excess funds available from the amount borrowed for construction of the National Archives building and the United States government office building on Constitution Avenue in Washington, DC.

SEC. 416. DESIGNATION OF CÉSAR E. CHÁVEZ MEMORIAL BUILDING. (a) The building known as the Colonnade Center, located at 1244 Spreer Boulevard, Denver, Colorado, shall be known and designated as the "César E. Chávez 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 "César E. Chávez Memorial Building".

SEC. 417. 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. 418. DESIGNATION OF RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE. (a) The United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, shall be known and designated as the "Richard Sheppard Arnold United States Courthouse".

(b) Any reference in a 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 "Richard Sheppard Arnold United States Courthouse".

SEC. 419. 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. 420. Designation of a building as the "Richard L. Thornburgh Federal Building in Pittsburgh, Pennsylvania", and the United States courthouse located at 600 Grant Street in Pittsburgh, Pennsylvania, shall be known and designated as the "Richard L. Thornburgh Federal Building and United States Courthouse'.

SEC. 421. 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. 422. DESIGNATION OF RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE. (a) The United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, shall be known and designated as the "Richard Sheppard Arnold United States Courthouse".

SEC. 423. FEDERAL BUILDING AND UNITED STATES COURT.-HOUSE. (a) The Federal building and United States courthouse located at 100 Federal Plaza in Central Islip, New York, shall be known and designated as the "Alfonso M. D’Amato United States Courthouse".

(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 "Alfonso M. D’Amato United States Courthouse".

SEC. 424. 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.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by P.L. 104–350; $31,388,000, to remain available until expended.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1996, $1,309,000, to remain available until expended.

ENVIRONMENTAL DISPUTE RESOLUTION FUND (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in connection with the administration of the National Archives, including expenses of the National Archivist and the Environmental Dispute Resolution Fund, and for operating expenses of the National Archives, including those of the National Archives Trust, for expenses necessary for the preservation of the National Archives and Records Administration, including expenses for information technology and facilities development, $349,731,000, provided, That the Archivist of the United States shall use such funds to carry out activities and projects authorized in the Environmental Policy and Conflict Resolution Act of 1996 and such funds shall be used for activities and projects necessary for the preservation of the National Archives, including for the repair and rehabilitation of the National Archives of the United States, $249,731,000, to remain available until expended.

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives, including expenses of the National Archivist, for necessary expenses in connection with the administration of the National Archives (including expenses of the Office of the Archivist), and for necessary expenses in connection with the administration of the National Archives (including expenses of the Office of the Archivist) and to carry out activities of the Archives for the development and preservation of records and archives, for operating expenses relating to the digital archiving of records and records of the United States government, for expenses necessary for the administration of the Title I National Archives Trust Fund, and for operating expenses of the National Archives and Records Administration, to carry out activities of the Office of the Archivist, for expenses necessary for the preservation of the National Archives of the United States, including the Administration, the National Archives Trust Fund, and the National Archives and Records Administration, for operating expenses of the National Archives of the United States (including expenses of the Office of the Archivist) and for operating expenses of the Archives for the preservation of the National Archives and Records Administration, for expenses necessary for the administration of the National Archives, the National Archives Trust Fund, and the National Archives and Records Administration, for operating expenses of the National Archives of the United States (including expenses of the Office of the Archivist) and for operating expenses of the Archives for the preservation of the National Archives and Records Administration, for operating expenses of the National Archives and Records Administration, $349,731,000, to remain available until expended.
For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $14,208,000, to remain available until September 30, 2004 for the Military Personnel Records Center preliminary design studies, $3,250,000 is for repairs to the Lyndon Baines Johnson Presidential Library. Provided, That the Inspector General is authorized to use such funds for the acquisition, protection, preservation, and other related site location expenses for the site of a new regional archives facility to be constructed in Anchorage, Alaska.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $7,000,000 is hereby appropriated, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES


OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3019, hire of passenger motor vehicles, $1,498,000, and in addition, not to exceed $10,766,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management’s retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 449), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

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

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special annuity act of the Office of Personnel Management’s retirement and disability fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1934, as amended (33 U.S.C. 771-775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel 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; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; to not exceed $300,000 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act procedures require an employee to remain overnight at his or her post of duty, $218,736,000, of which $24,000,000 shall remain available until expended for the cost of the Government’s resources data network project, and $2,500,000 shall remain available until expended for the cost of the leading the governor-wide initiative to modernize the Federal personal service delivery system. In addition $120,791,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management, without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $27,640,000 shall remain available until expended for the cost of automation and the replacement record-keeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8906(g), and 9004(f)(1)(A) and (2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Leavenworth Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Leavenworth Unit of the Office of Personnel Management established pursuant to Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2003, accept donations of money, property, personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

TITLE V—GENERAL PROVISIONS

This Act

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 herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service that includes 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 those otherwise kept confidential, or, under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary is prohibited under any Executive order, decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 367 of the Tariff Act of 1930.

SEC. 504. 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 to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge 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.

SEC. 505. No funds appropriated pursuant to this Act may be expended unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of the Buy American Act (41 U.S.C. 304-306).

SEC. 506. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with the funds provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-manufactured equipment and products.

(b) 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 a notice describing the matter stated in subsection (a) by the Congress.

SEC. 507. 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 substantially the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 508. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2003 from funds appropriated for salaries and expenses for fiscal year 2003 in this Act, shall remain available through September 30, 2004, to be used by each Federal agency for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That the funds may be used in compliance with reprogramming guidelines.

SEC. 509. None of the funds made available in this Act may be used by any Federal agency in the Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except with the written consent of such individual.

Title V—General Provisions

This Act

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 herein.
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.


SEC. 311. For the purpose of resolving litigation and implementing any settlement agreements reached with foreign area instruments to the Government with respect to the cost of comparable conventionally fueled 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 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:

SEC. 603. Unless otherwise specifically provided in this subchapter, the maximum cost reimbursable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (including law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100. Provided, That any vehicle purchased by 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: (I) electric vehicles over $3,700, (II) heavy-duty vehicles over $4,000, (III) special heavy-duty vehicles over $4,000, and (IV) electric or hybrid vehicles over $4,000, if such vehicles are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act). Such funds shall be available until expended for the following purposes: (I) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13115 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

SEC. 604. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance and operating expenses, shall be available for administrative expenses in the current fiscal year contained in this or any other Act, unless otherwise specifically prohibited in this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for payment to the Distressed Areas in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 605. In addition to any appropriation for the current fiscal year contained in this or any other Act, funds made available by this Act or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for use by the executive directors of any corporation, the chief executives of any agency, and the heads of any other Act for administrative expenses for which such funds are otherwise available, for use by the executive directors of any corporation, the chief executives of any agency, and the heads of any such fund, or the latter shall be in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance and operating expenses, shall be available for administrative expenses in the current fiscal year contained in any such Act adopted prior to the effective date of the Executive order. Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the United States for the immediate family of employees serving in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 607. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance and operating expenses, shall be available for administrative expenses in the current fiscal year contained in any such Act adopted prior to the effective date of the Executive order.
they are interagency entities) which do not have a prior and specific statutory approval to re-
ceive financial support from more than one agency or instrumentality.

SEC. 618. No part of any appropriation contained in this Act for the United States Customs Service may be used in any way, irrespective of whether such communication or contact is at the initia-
tive of such other officer or employee or in re-
response to the request or inquiry of such officer, committee, or subcommittee; or

(f) For the purpose of administering any pro-

vision of law (including any rule or regulation that provides premium pay, retirement, life in-
surance, or any other employee benefit) that re-
quires or authorizes the payment of any em-

ployee covered by this section at a rate in excess of the rate of salary or basic pay, the rate of salary or basic pay payable after the applica-
tion of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit any employee covered by this sec-
tion (a) applicable to such employee.

(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 recruit-
ment or retention of qualified employees, or to attract or retain employees who would be payable under subsection (a) were sub-
paragraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, applicable to such employee.

(i) Nothing in this section shall be considered to permit any employee covered by this sec-
tion (a) applicable to such employee.

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(S) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise alter a State or any other body from conducting training directly upon the performance of official duties.

SEC. 626. No appropriation contained in this or any other Act shall be used for the purpose of enacting or amending any act or rule of law that does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling." Provided, That notwithstanding the preceding paragraph, a nonpublic information statute or agreement is to be executed by a person connected with the conduct of intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement 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 United States Government. Such nondisclosure forms may 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. 629. Notwithstanding 31 U.S.C. 1346 and section 10 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosures to Congress by members of the military); section 230(b)(4) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures to a competent jurisdiction); the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794 of title 18, United States Code; and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling. Provided, That notwithstanding the preceding paragraph, a nonpublic information statute or agreement is to be executed by a person connected with the conduct of intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement 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 United States Government. Such nondisclosure forms may 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.
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 offices for the fiscal year ending September 30, 2003, and for other purposes, (Continued)

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, and offices for the fiscal year ending September 30, 2003, and for other purposes, (Continued)

TITLES—DEPARTMENT OF VETERANS AFFAIRS

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. 101, chapters 11, 13, 18, 51, 53, and 55; and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. 101, chapters 15, 51, 53, and 55; and 92; Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service-credits and certificates, pay, and insurance as authorized by law (38 U.S.C. 101, chapters 71, 72, 73, 74, and 75; and 107); there is appropriated, out of any money in the Treasury not otherwise appropriated, $32,703,000, to remain available until expended: Provided, That not to exceed $17,118,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and merged with the appropriation for "General operating expenses".

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 31, 30, 38, 34, 35, 36, 39, 51, 53, and 55; and 61); $2,254,808,000, to remain available until expended: Provided, That expenses for rehabilitation program services, as authorized by law (38 U.S.C. chapters 31 and 38), are authorized to be reimbursed from the "General operating expenses" and merged with the appropriation for "General operating expenses".

VETERANS INSURANCE AND INDENITIES

For military and national insurance, service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by law (38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487; 27,530,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND (INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, to be available until June 30, 2002: Provided, That the amount of direct loans not to exceed $3,626,000. The United States Postal Service (USPS) is authorized to establish rates which, when added to the direct loan fees charged by the..
DEPARTMENTAL ADMINISTRATION
GENERAL OPERATING EXPENSES
For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, $121,780,000: Provided, That of the funds appropriated under this heading, $12,000,000 shall be used for any project which, at the time of the application for such funds, is $4,000,000 or more or where funds for such project were made available in a previous fiscal year: Provided further, That of the funds appropriated under this heading, $10,000,000 shall be available until September 30, 2004, plus reimbursements: Provided, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations any approved major construction project for which obligations incurred within the time limitations established above: Provided further, That no funds from any other account except the "Parking revolving fund", may be obligated for construction, extending, or improving a project which was approved in the budget process and funded in this Act: Provided further, That, notwithstanding any other provision of law, none of the funds appropriated under this account except the "Parking revolving fund", may be used for acquiring property or tenements for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, where the estimated cost of a project is less than $4,000,000, of which $35,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: Provided, That from amounts appropriated under this heading, additional amounts 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 of the Department of Veterans Affairs for the cost of loss or damage caused by natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes: Provided further, That funds in this account may be used to conduct an audit of the grants under this heading and the Inspector General Act of 1978, as amended, may be used for CARES activities upon notification of and approval by the Committees on Appropriations: Provided further, That funds in this account may be used for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is less than $4,000,000, of which $35,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: Provided, That from amounts appropriated under this heading, additional amounts 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 of the Department of Veterans Affairs for the cost of loss or damage caused by natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes: Provided further, That amounts deposited during the current fiscal year in the Department of Veterans Affairs Mediation Fund under section 1729A of title 38, United States Code, may be transferred to "Medical care", to remain available until expended. GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES For grants to assist States to construct or expand State nursing home and domiciliary facilities and to remodel, modify or improve existing hospitals, nursing homes and domiciliary facilities which are necessary because of loss or damage caused by natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes: Provided further, That amounts deposited during the current fiscal year in the Department of Veterans Affairs Mediation Fund under section 1729A of title 38, United States Code, may be transferred to "Medical care", to remain available until expended. VETERAN CEMETERIES For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 8131–8137, $100,000,000, to remain available until expended. GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES For grants to assist States to construct or expand State nursing home and domiciliary facilities and to remodel, modify or improve existing hospitals, nursing homes and domiciliary facilities which are necessary because of loss or damage caused by natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes: Provided further, That amounts deposited during the current fiscal year in the Department of Veterans Affairs Mediation Fund under section 1729A of title 38, United States Code, may be transferred to "Medical care", to remain available until expended. VETERAN CEMETERIES For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 8131–8137, $100,000,000, to remain available until expended. 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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 replacement" 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 hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons eligible for treatment under the Veterans Affairs Medical Care Program) to the extent of $799,7904 or 42 U.S.C. 5141–5204, unless reimbursement of cost is made to the "Medical care" account as provided by law, to be made by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2003 for "General operating expenses" and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding 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 Pensions Reform Act, Public Law 106–69, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and Pension benefits".

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. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account, for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2003 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: 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 administration of each insurance program and to the provision of any total disability income insurance included in such insurance programs.

SEC. 108. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 101–637, October 1, 2003: Provided, That the Franchise Fund, established by title I of Public Law 101–204 to finance the operations of the Franchise Fund pilot program, shall continue in effect 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. Appropriations in this Act for the Department of Veterans Affairs appropriation for fiscal year 2003 or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Management and Budget for amounts paid to the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $29,318,000 for the Office of Employment Discrimination Complaint Adjudication and $3,010,000 for the Office of Employment and Discrimination Complaint Adjudication.

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 such section shall be transferred to the Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code.

(b) The table of sections at the beginning of chapter 17 of title 38 is amended by striking the item relating to section 1729B.

(c) 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 paragraph:

"(7) Section 113 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117, 38 U.S.C. 8111 note)."

SEC. 112. Appropriations for fiscal year 2003 under "Veterans' Special Life Insurance Fund (38 U.S.C. 1920), the Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code".


(a) Section 112 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117, 38 U.S.C. 8111 note) is amended by striking "Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code".

(b) Section 113(b) of such title is amended by inserting "Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code" in the first sentence of section 113(b) of such title.

SEC. 114. Appropriations Act of 1996 (Public Law 104–134; Stat. 1321–269); (2) for the conversion of section 23 projects to assistance under section 8; (3) for the consolidation of existing administrative systems with those of the Department of Veterans Affairs Medical Care Collections Fund established under title X of the Consolidated Appropriations Act, 2002; (4) for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from the Secretary of the Treasury; (5) for tenant protection assistance, including relocation and assistance to families that are demolished or disposed of pursuant to the Family Reunification and Reinvestment Act of 1996 (42 U.S.C. 1437f(o) and (t)), including moderate rehabilitation units operated by public housing agencies that received a warning pursuant to the notice published on April 19, 2000 (65 FR 21088) of failure to use at least 90 percent of the appropriated funds to spend at least 90 percent of the budget authority allocated to the agency, and that by the date of enactment or within 15 months of initial receipt of warning notice from the Secretary, whichever is later, failed in the most recent completed

January 28, 2003

CONGRESSIONAL RECORD — SENATE S1625

SEC. 119. (a)(1) Section 1729A 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 such section shall be transferred to the Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code.

(a)(1) In the first sentence of chapter 17 of title 38, United States Code, the phrase "and except as otherwise provided, to the extent practicable" shall be inserted.

(a)(2) In this Act, the term "Secretary" means the Secretary of Veterans Affairs.

(a)(3) In subsection (c)—

(1) in the first sentence, by striking "under subsection (a)" and inserting "under this section"; and

(2) by striking the second sentence;

(a)(4) in subsection (d), by striking paragraphs (7) and (8) and inserting the following:

"(7) The Secretary shall—

(1) make payments to the Franchise Fund, established by section 113 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117, 38 U.S.C. 8111 note), in an amount equal to the amount provided under this heading, no less than $3,000,000, shall be transferred to the Workforce Capital Fund for the development of and modifications to information technology systems which serve activities under "Public and Indian Housing": Provided further, That the amounts made available for incrementally vouchers expected to be used in the period cov- ering a law enforcement or prosecution agency; (5) for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from the Secretary of the Treasury; (5) for tenant protection assistance, including relocation and assistance to families that are demolished or disposed of pursuant to the Family Reunification and Reinvestment Act of 1996 (42 U.S.C. 1437f(o) and (t)), including moderate rehabilitation units operated by public housing agencies that received a warning pursuant to the notice published on April 19, 2000 (65 FR 21088) of failure to use at least 90 percent of the appropriated funds to spend at least 90 percent of the budget authority allocated to the agency, and that by the date of enactment or within 15 months of initial receipt of warning notice from the Secretary, whichever is later, failed in the most recent completed

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(a)(1) In the first sentence of chapter 17 of title 38, United States Code, the phrase "and except as otherwise provided, to the extent practicable" shall be inserted.

(a)(2) In this Act, the term "Secretary" means the Secretary of Veterans Affairs.

(a)(3) In subsection (c)—

(1) in the first sentence, by striking "under subsection (a)" and inserting "under this section"; and

(2) by striking the second sentence;

(a)(4) in subsection (d), by striking paragraphs (7) and (8) and inserting the following:

"(7) The Secretary shall—

(1) make payments to the Franchise Fund, established by section 113 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117, 38 U.S.C. 8111 note), in an amount equal to the amount provided under this heading, no less than $3,000,000, shall be transferred to the Workforce Capital Fund for the development of and modifications to information technology systems which serve activities under "Public and Indian Housing": Provided further, That the amounts made available for

PUBLIC AND INDIAN HOUSING


SEC. 120. Appropriations are available to carry out into effect the Act of January 28, 2003.
month to utilize at least 95 percent of allocated vouchers or contracted budget authority with respect to vouchers that were under annual contributions contract in the agency’s prior fiscal year, remains available and unused at the end of such fiscal year, and enters into contributions contracts with other public housing agencies for the benefit of the Secretary to support the reallocated vouchers pursuant to the notice published on November 1, 2002 (66 FR 55524), provided that the Secretary shall give first priority, after agencies that need additional vouchers to address urgent needs arising from federally-designated disasters, to public housing agencies that can serve applicants on the waiting list of the public housing agency from which vouchers are reallocated and to agencies that have needlessly disabled families affected by the designation of a public housing development under section 7 of the Act, the establishment of preferences in accordance with section 621 of the Housing and Community Development Act of 1992 (42 U.S.C. 13611), or the restriction of occupancy to elderly families in accordance with section 658 of such Act (42 U.S.C. 13618). Provided further, that no funds may be used under this heading or for purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: Provided further, That of the total amount provided under this heading, $5,000,000 shall be for assistance to persons who are not in violation of any requirement under paragraph (1) or (5)(A) of such section: Provided further, That of the total amount provided under this heading, $574,000,000, to remain available until September 30, 2004, of which $5,000,000 shall be for a Neighborhood Networks initiative for activities authorized by section 102 of the Department of Housing and Urban Development Reform Act of 1989: Provided further, That of the total amount provided under this heading, $554,000,000, shall be for loan loss technology systems: Provided further, That any obligated balances of funds were originally appropriated may be transferred to the Working Capital Fund for the development of and modifications to information technology systems: Provided further, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: Provided further, That of the total amount provided under this heading, $18,600,000 shall be for carrying out activities under section 9(h) of such Act, of which not more than $2,683,400,000 shall be for the provision of rental services to public housing agencies identified as “troubled” under the Section 8 Management Assessment Program and for surveys 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 of the total amount provided under this heading, $554,000,000 shall be for the capital and management activities necessary to bring their current rate of voucher utilization to at least 95 percent of annual voucher amounts made available for fiscal year 1999, 2000, 2001, 2002, or 2003, remains available and remain available until September 30, 2004, of which $2,683,400,000, to remain available until September 30, 2006: Provided, That, hereafter, notwithstanding the first proviso and subparagraphs (1) of such section 9(i) or unexpended in violation of paragraph (5)(A) of such section (9), the Secretary shall reallocate any such amounts and thus credited to the fiscal year 2002 or fiscal year 2003 any public housing agencies for the operation and management of public housing: Provided further, That no funds may be made available under this heading in fiscal year 2004 and subsequent fiscal years pursuant to the operation and management of public housing: Provided further, That no funds may be made available under this heading in fiscal year 2004 and subsequent fiscal years pursuant to the operation and management of public housing: Provided further, That of the amount provided under this heading, up to $18,600,000 shall be for carrying out activities under section 9(h) of such Act, of which not more than $2,683,400,000 shall be for the provision of rental services to public housing agencies identified as “troubled” under the Section 8 Management Assessment Program and for surveys 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 of the total amount provided under this heading, up to $2,683,400,000 shall be awarded to public housing agencies under section 9(e) of the United States Housing Act of 1937, as amended: Provided further, That of the total amount provided under this heading, up to $2,683,400,000 shall be awarded to public housing agencies under section 9(d) of the United States Housing Act of 1937, as amended: Provided further, That of the total amount provided under this heading, up to $2,683,400,000 shall be awarded to public housing agencies under section 9(d) of the United States Housing Act of 1937, as amended.
and financial assistance to Indian tribes and their tribally-designated housing entities in accordance with the provisions of NAHASDA for emergency housing, housing assistance, and other programs to address the problems of mold. Provided further, That for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first paragraph, which shall be transferred to and merged with, the appropriate Federal agency, to be used for "Salaries and expenses", to be used only for the administrative costs of these guarantees.

Indian Housing Loan Guarantee Fund Program Account

(INCLUDING TRANSFER 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. 1715z-18h), not to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 302 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 $197,243,000.

In addition to the 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 appropriate Federal agency, to be used only for the administrative costs of these guarantees.

Native Hawaiian Housing Loan Guarantee Program Account

(INCLUDING TRANSFER 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. 1715z-18h), not to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 302 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.

In addition to the expenses to carry out the guaranteed loan program, up to $32,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriate Federal agency, to be used only for the administrative costs of these guarantees.

Community Planning and Development

Housing Opportunities for Persons with AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $292,000,000, to remain available until September 30, 2004: Provided, That the Secretary may use all expiring contracts for permanent supportive housing that were funded under section 654(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: Provided further, That the Secretary may use up to $2,000,000 of the funds under this heading for training, oversight, and monitoring of assistance activities.

Rural Housing and Economic Development

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $25,000,000, to remain available until September 30, 2004, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended: Provided, That such costs, including the costs of modifying such loans, shall be available in section 108 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 $608,696,000, notwithstanding any aggregate limitation on outstanding obligations.
guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended:
Provided further, That in addition, for administrative expenses to carry out the guaranteed $750,000,000, which shall be transferred to and merged with the appropriation for "Salaries and expenses".

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants for Brownfield projects, $500,000,000, to remain available until September 30, 2004: Provided, That the Secretary of Housing and Urban Development shall make these grants available to projects that meet the criteria as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989: Provided further, That notwithstanding section 108(h) of the Housing and Community Development Act of 1974, recipients of funding made available under this heading may, at the discretion of the Secretary, also apply for funding under section 108.

HOME INVESTMENT PARTNERSHIPS PROGRAM (INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzales National Affordable Housing Act, as amended, $1,590,000,000, to remain available until September 30, 2005: Provided, That the total amount provided under this heading, up to $40,000,000, shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve Programs or activities under "Community Planning and Development".

HOMELESS ASSISTANCE GRANTS (INCLUDING TRANSFER OF FUNDS)

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 single room occupancy 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 Section 8 plus care program, which shall be used for permanent housing: Provided further, That the Secretary shall reserve not more than 25 percent in funding by each grantee: Provided further, That the Secretary shall reserve not more than five percent of the annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed to meet the continuum of care needs of the recipient that meets appropriate program requirements and financial standards, as determined by the Secretary: Provided further, That all awards for services shall be matched by 25 percent in funding by each grantee: Provided further, That all advances provided under such section to assisted living or related programs shall not exceed a loan principal of $1,500,000,000, which shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve Programs or activities under "Community Planning and Development".

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS (INCLUDING TRANSFER OF FUNDS)

For necessary expenses as authorized by the Housing and Community Development Act of 1974, as amended, $13,000,000, to remain available until expended, to be derived from the Reimbursable Assistance Account as authorized by section 108(h)(2) of such Act, including advances of authorizations of contract authority to carry out the purposes of section 207 of the National Housing Act, as amended:
Provided further, That not to exceed the total amount appropriated under this heading shall be available for the general fund of the Treasury for the temporary necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available from this heading pursuant to section 207 of the National Housing Act for fiscal year 2003 appropriation shall be reduced by amounts received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation less than no less than $290,000,000,000, which shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve Programs or activities under "Community Planning and Development".

MANUFACTURED HOUSING FEES TRUST FUND

Not to exceed $1,033,801,000, to remain available until expended, to be derived from the Reimbursable Assistance Account as authorized by section 108(h)(2) of such Act, including advances of authorizations of contract authority to carry out the purposes of section 207 of the National Housing Act, as amended:
Provided further, That to the extent guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended, not to exceed $783,286,000, plus recaptures or cancelled commitments, shall be for capital advances, including amendments to capital advances and modifications to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, which shall remain available for disbursement until September 30, 2015, and for supportive services associated with the housing, of which amount $44,000,000 plus up to $9,000,000 of amounts recaptured or commitments cancelled shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing of which amount up to $50,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 170q–2) for conversion of eligible projects under section 202c(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, which shall remain available for disbursement until September 30, 2015, and for supportive services associated with the housing for persons with disabilities as authorized by section 411 of the Cranston-Gonzales National Affordable Housing Act, for project rental assistance for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, which shall remain available for disbursement until September 30, 2015, and for supportive services associated with the housing for persons with disabilities as authorized by section 411(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act: Provided further, That no less than 30 percent of funds appropriated for this purpose in appropriations acts for fiscal year 2003 shall be used to fund contracts for the provision of support services associated with the housing for persons with disabilities as authorized by section 411 of such Act, and for tenant-based rental assistance contracts pursuant to the second proviso of this paragraph, the Secretary may designate up to 25 percent of the amounts appropriated for such purposes for early termination necessary to incur obligations and make expenditures to carry out the purposes of section 207 of the National Housing Act, as amended:
Provided further, That the Secretary may waive any provision of section 202 and such section 811 (including the provisions governing the terms 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 the Secretary shall not be required to reserve funding on October 1, 2002, remaining in the "Congregate Housing Services" account as authorized by the Housing and Community Development Amendments of 1978, as amended, shall be transferred to and merged with the amounts for those purposes under this heading.

FLEXIBLE SUBSIDY FUND (TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2002, and any collections relating fiscal year 2002, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended:

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year for all contracts entered into under section 236(g) of the National Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year 2003 by not more than $100,000,000 in uncommitted balances of authorizations of contract authority for this purpose in appropriations acts:
Provided, That up to $100,000,000 of recaptured section 236 budget authority resulting from any actions described in section 236(g)(7)(A) of the National Housing Act (12 U.S.C. 1715z-1) shall be made available as provided under section 236(g) of the National Housing Act.

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2003, obligations to make direct loans to carry out the purposes of section 204 of the National Housing Act, as amended, shall not exceed a loan principal of $169,000,000,000.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $347,829,000, of which not to exceed $20,000,000 shall be transferred to the appropriations for "Salaries and expenses"; and not to exceed $4,022,000 shall be transferred to the appropriation for "Office of Inspector General".

For administrative expenses necessary to carry out the guaranteed and direct loan program, $347,829,000, of which not to exceed $20,000,000 shall be transferred to the appropriations for "Salaries and expenses"; and not to exceed $4,022,000 shall be transferred to the appropriation for "Office of Inspector General".

For administrative expenses necessary to carry out the guaranteed and direct loan program, $347,829,000, of which not to exceed $20,000,000 shall be transferred to the appropriations for "Salaries and expenses"; and not to exceed $4,022,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan program, $347,829,000, of which not to exceed $20,000,000 shall be transferred to the appropriations for "Salaries and expenses"; and not to exceed $4,022,000 shall be transferred to the appropriation for "Office of Inspector General".

For administrative expenses necessary to carry out the guaranteed and direct loan program, $347,829,000, of which not to exceed $20,000,000 shall be transferred to the appropriations for "Salaries and expenses"; and not to exceed $4,022,000 shall be transferred to the appropriation for "Office of Inspector General".
for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this process exceed $23,400,000.

GENERAL AND SPECIAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 207(l), 238, and 519(a) of the National Housing Act (12 U.S.C. 171z–3 and 171z–5), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Consolidated Appropriations Act of 1974, as amended, $5,000,000, to remain available until expended: Provided, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to $21,000,000,000.

Gross obligations for the principal amount of direct loan commitments, as authorized by sections 207(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of 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, $232,176,409, of which $204,385,460, shall be transferred to the appropriation for "Office of Inspector General". In addition to administrative expenses necessary to carry out the guaranteed and direct loan programs, $93,780,000, of which not less than $74,240,000 shall be transferred to the Working Capital Fund for the development and program-specific information technology systems which serve activities under "Housing Programs" or "Federal Housing Administration": Provided, That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2003, an additional $1,980 for administrative contract expenses for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment below $1,000,000), but in no case shall funds made available exceed $14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VI of the Housing Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1989, as amended, $20,250,000 shall be carried out pursuant to such provision: Provided, That no funds made available under this heading by October 1st, 2003, shall be used to pay the costs of such activity that is acceptable to the Secretary of Housing and Urban Development, not otherwise provided for, as authorized by section 561: Provided further, That units treated, and the maximum amount of funds guaranteed under this paragraph, shall be transferred to the 'Native Hawaiian housing loan guarantee fund account' account, $10,343,000 shall be provided from the Government National Mortgage Association, as authorized by section 502 of the Housing and Community Development Act, as amended, $8,000,000 are rescinded.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VI of the Housing Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1989, as amended, $20,250,000 shall be carried out pursuant to such provision: Provided, That no funds made available under this heading by October 1st, 2003, shall be used to pay the costs of such activity that is acceptable to the Secretary of Housing and Urban Development, not otherwise provided for, as authorized by section 561: Provided further, That units treated, and the maximum amount of funds guaranteed under this paragraph, shall be transferred to the 'Native Hawaiian housing loan guarantee fund account' account, $10,343,000 shall be provided from the Government National Mortgage Association, as authorized by section 502 of the Housing and Community Development Act, as amended, $8,000,000 are rescinded.

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $201,000,000, to remain available until September 30, 2004, of which $10,000,000 shall be carried out pursuant to such provision: Provided, That no funds made available under this heading by October 1st, 2003, shall be used to pay the costs of such activity that is acceptable to the Secretary of Housing and Urban Development, not otherwise provided for, as authorized by section 561: Provided further, That units treated, and the maximum amount of funds guaranteed under this paragraph, shall be transferred to the 'Native Hawaiian housing loan guarantee fund account' account, $10,343,000 shall be provided from the Government National Mortgage Association, as authorized by section 502 of the Housing and Community Development Act, as amended, $8,000,000 are rescinded.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $201,000,000, to remain available until September 30, 2004, of which $10,000,000 shall be carried out pursuant to such provision: Provided, That no funds made available under this heading by October 1st, 2003, shall be used to pay the costs of such activity that is acceptable to the Secretary of Housing and Urban Development, not otherwise provided for, as authorized by section 561: Provided further, That units treated, and the maximum amount of funds guaranteed under this paragraph, shall be transferred to the 'Native Hawaiian housing loan guarantee fund account' account, $10,343,000 shall be provided from the Government National Mortgage Association, as authorized by section 502 of the Housing and Community Development Act, as amended, $8,000,000 are rescinded.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $51,000,000, of which $23,343,000 shall be provided from the various funds of the Federal Housing Administration: Provided, That the Inspector General shall have independent authority over all personnel issues within the Office: Provided further, That no less than $300,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems for the Office of Inspector General.

WORKING CAPITAL FUND

For additional capital for Working Capital Fund (42 U.S.C. 3535) for the development of, maintenance of, and improvements to Department-wide Information technology systems, and for the continuing operation of both Department-wide and program-specific information technology systems, $275,737,000, to remain available until September 30, 2004: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended.

CONсолIDATED FEED FUND

(RESCISSION)

Of the balances remaining available from fees and charges under section 7(i) of the Department of Housing and Urban Development Act on October 1, 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 Development Safety and Soundness Oversight Act of 1992, including not to exceed $500 for official receipt and representation expenses, $30,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: Provided, That not to exceed such amount shall be available from the general fund of the Treasury to the extent necessary to meet the cost of travel, subsistence, and other education-related travel; and to reimburse employees for travel services purchased for the Congress, the Senate, and the House of Representatives and for travel incurred in connection with the receipt of collections to the Fund: Provided further, That the general fund amount
shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than 30 percent.

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 described in subparagraph (a) of the amendment of section 208 of the McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies, or local governments, or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such law, Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury by such agencies, or local governments, or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such law, at a lower interest rate.

SEC. 202. 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 by one or more persons, including the filing of a complaint or law enforcement action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 584(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12696(c)(1)(A)), from any amounts made available under this title for fiscal year 2003 that are allocated under such section, the Secretary may provide funds to an entity outside of metropolitan statistical areas that qualify under clause (i) in fiscal year 2003 do not have the number of cases of acquired immunoodeficiency syndrome (AIDS) cases in the areas of that State that are an amount based on the cumulative number of AIDS cases in the areas of that State that are an amount based on the cumulative number of AIDS cases in the areas of that State that are

SEC. 206. Except as explicitly provided in law, any grant or assistance made pursuant to title II of this Act shall be made on a competitive basis in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1991.

SEC. 207. Section 683(2) of the Housing and Community Development Act of 1992 is amended—

(a) in paragraph (1), by striking section and inserting section; and

(b) by adding the following new subparagraph at the end:

(2) that housing that is assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act.

SEC. 208. Section 9 of the United States Housing Act of 1937 is amended by inserting at the end:

SEC. 209. Notwithstanding any other provision of law, no funds in this Act or in any other Act in any fiscal year, including all future and prior fiscal years, may be used hereafter by the Secretary of Housing and Urban Development to provide any assistance or other funds for housing units defined in section 9(n) of the United States Housing Act of 1937 (as in effect immediately prior to the date of enactment of this Act) as ‘‘covered locally developed public housing units’’. The States of New York and Massachusetts shall reimburse any funds already made available under subsections (d) and (e) of this section for these units to the Secretary of Housing and Urban Development for reallocation to public
(22) Welfare-to-Work Housing Voucher Program.—

(A) Renewal.—Upon renewal, incremental vouchers awarded under this paragraph shall continue to be administered under this paragraph.

(B) Eligible Grantees.—A public housing agency (including Indian tribes and tribally designated organizations by the Secretary) is eligible to receive assistance under this paragraph if the public housing agency demonstrates, to the satisfaction of the Secretary—

(i) that the agency—

(I) is effectively administering a voucher program; and

(II) is capable of leasing the allotted number of welfare-to-work vouchers in the time allowed by the Secretary; and

(ii) that the agency—

(I) is carrying out an effective welfare-to-work housing program using Federal, State, or local funds (including vouchers funded under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105-256), or other vouchers), and has a collaboration with the State, local, or tribal entities administering title IV of the Social Security Act (42 U.S.C. 601 et seq.) and under the Workforce Investment Act of 1998 (29 U.S.C. 821 et seq.) that serve families in the jurisdiction;

(II) has established in subparagraph (B) for the selection among eligible families in light of the circumstances in the jurisdiction, and providing payments and services to families (including outreach to owners and case management) so that families may obtain housing in an area of greater employment opportunity or in proximity to a current place of employment or transportation to employment and overcome other barriers to employment;

(III) 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

(IV) shall consult with the Secretary of Health and Human Services and the Secretary of Labor in determining additional criteria for selection among eligible families in the jurisdiction;

(C) Additional Criteria for Grantee Selection.—The Secretary—

(i) may establish criteria and 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 consult with the Secretary of Housing and Urban Development and the Independent Agencies Appropriations Act, 1997 (42 U.S.C. 1437v(m)(1)) is amended by striking "$574,000,000" and all that follows through "$600,000,000" and inserting the following: "$574,000,000 for fiscal year 2003.".

(b) Section 24(n) of the United States Housing Act of 1937 (42 U.S.C. 1437v(n)) is amended by striking "$600,000,000" and all that follows through "$574,000,000 for fiscal year 2003.".

b) The amendment made by subsection (a) is amended by striking "$574,000,000" and all that follows through "$600,000,000" and inserting the following: "$574,000,000 for fiscal year 2003.".

C. 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.

220. The Director of the Office of Budget in the Department of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, and excess funds in each program and activity without the jurisdiction of the Department of Housing and Urban Development, and shall submit additional, updated information to these committees within 12 hours of any request.

221. Section 204, as amended, of the Department of Housing and Urban Development Appropriations Act, 1997, Public Law 104–204 (12 U.S.C. 1715z–11), is amended by inserting "or other sites as part of a revitalization plan that includes such a property" after the words "on the properties (which shall be eligible whether vacant or occupied)."

222. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2003 and annually 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 Development. 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 submission.

SEC. 223. Notwithstanding the requirements regarding first-time homebuyers in section 104 of the National Housing Act (42 U.S.C. 12704), the Enterprise Housing Corporation of Maryland may use the remaining balance of the grant award, H-55MD0005-I-X, within the East Baltimore Community of the City of Baltimore, Maryland.

SEC. 224. The part of the HUD Community Development Block Grant to the State of Iowa which is made available to the Iowa Department of Economic Development (grant number B99DC190001) and which, in turn, was granted by the Iowa Department of Economic Development to Benton County, Iowa (Benton County contract number 01-WS-006-99), for the purpose of providing safe potable water to residences within the Southern Benton County through a distribution system, is exempt from the provisions of section 104(g)(2), (g)(3) and (g)(4) of title I of the Housing and Urban Development Act of 1974, as amended.

TITLE II. OFFICE OF INSPECTOR GENERAL

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES
For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest therein, contracts for (a) the care and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; and (b) the rent of office and garage space in foreign countries, when required by law of such countries, purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries, including the American Battle Monuments Commission's $30,400,000, to remain available until expended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES
For necessary expenses in carrying out activities pursuant to section 144(f)(1) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, and for services authorized by 5 U.S.C. 5901, 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. 576, $7,850,000, of which $7,135,000 may be available until September 30, 2003 and $500,000 is to remain available until September 30, 2004: Provided, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Executive Service positions: Provided further, That, hereafter, there shall be an Inspector General at the Board who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978, as amended: Provided further, That an individual appointed to the position of Inspector General of the Federal Emergency Management Agency (FEMA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That the Inspector General of the Board shall utilize personnel of the Office of Inspector General of FEMA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT
To 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 rate equivalent to the rate for ES-3, $73,000,000, to remain available until September 30, 2004, of which $5,000,000 shall be for technical assistance designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development financial institutions and other entities authorized under such Act: Provided further, That the costs of modifying such loans, shall be as defined in section 302 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 $11,000,000.

INTERGENCY COUNCIL ON THE HOMELESS

OPERATING EXPENSES
For necessary expenses (including payment of salaries, authorizations of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code), of the Interagency Council on the Homeless in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $1,300,000.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES
For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, the rental of office and garage space in foreign countries, when required by law of such countries, $56,767,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES
(INCLUDING TRANSFER OF FUNDS)
For necessary expenses of the Corporation for National and Community Service (the "Corporation") in carrying out programs, activities, and initiatives under subtitle B of title I of the Act (42 U.S.C. 15951 et seq.), $405,842,000, to remain available until September 30, 2004: Provided, That the Corporation shall not use more than $25,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle B of title I of the Act (42 U.S.C. 12621 et seq.): Provided further, That not more than $43,000,000 shall be available for school-based and community-based service-learning programs authorized under section 12611 et seq. of the Act (42 U.S.C. 12613 et seq.), of which $10,000,000 shall be available for challenge grants to nonprofit organizations: Provided further, That not more than $5,000,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc.: Provided further, That not more than $6,000,000 shall be available for grants to organizations that provide services to individuals with disabilities may be provided to States in order to ensure that priority is given to programs that demonstrate quality, innovation, and shall reduce the total Federal costs per participant in all programs: Provided further, That no funds shall be available for national service programs under this heading which receive a grant for, or provided by, an entity that receives a grant under section 121 of such Act (42 U.S.C. 12621(b)): Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching contributions provided by the private sector, and shall reduce the total Federal costs per participant in all programs: That not more than $25,000,000 of the funds made available under this heading shall be available for the National Service Trust authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): Provided further, That not more than $2,850,000 shall be available for quality and innovation activities authorized under section 12611(b)(7) of the Act (42 U.S.C. 12613 et seq.), of which $10,000,000 shall be available for challenge grants to nonprofit organizations: Provided further, That not more than $5,000,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc.: Provided further, That not more than $6,000,000 shall be available for grants to organizations that provide services to individuals with disabilities may be provided to States in order to ensure that priority is given to programs that demonstrate quality, innovation, and shall reduce the total Federal costs per participant in all programs: Provided further, That no funds shall be available for national service programs under this heading which receive a grant for, or provided by, an entity that receives a grant under section 121 of the Act.

OFFICE OF INSPECTOR GENERAL


ADMINISTRATIVE PROVISIONS
Notwithstanding any provision of law, the term "qualified student loan" with respect to national service education awards shall mean any loan determined by an institution of higher education to be necessary to cover a student's cost of attendance at such institution and made, insured, or guaranteed directly to a student by a State agency, in addition to other meanings under section 108(a)(7) of the National and Community Service Act.

Notwithstanding any other provision of law, funds otherwise available under section 12611(b)(3)(B) of the National and Community Service Act to assist entities in placing applicants who are individuals with disabilities may be provided to States in order to ensure that priority is given to programs that receive a grant for, or provided by, an entity that receives a grant under section 121 of the Act.

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES
For necessary expenses for the operation of the United States Court of Veterans Claims as authorized by 38 U.S.C. 7251-7298, $14,612,000 of which $1,045,000 shall be available for the purpose of providing financial assistance to veterans and shall be available for use in the process and reporting procedures set forth, under this heading in Public Law 102-229.
For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arling Home and the Smithsonian’s Arlen’s Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000,000 for official receptions, including associated program support costs, $24,445,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 316(g) of the Superfund Amendments and Reauthorization Act of 1986, $76,074,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by section 302(a) of the Solid Waste Disposal Act, as amended, and section 309 of the Solid Waste Disposal Act, as amended, and $24,445,000, to remain available until September 30, 2004.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, and necessary expenses for personnel and associated program support costs, to States, federally recognized tribes, interstate agencies, air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions of the Omnibus Reauthorization Act of 1986, $75,000 per project; and not to exceed $19,000,000 for official representation and presentation expenses, for conducting, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, to remain available until expended.

PRIORITY LIST OF HEALTH AND SAFETY ACTIVITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $42,918,000, to remain available until September 30, 2004.

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 grants, interagency agreements, and associated program support costs; and for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in connection with the termination and cleanup of hazardous substances, as specified for such grants in the statement of the Committee on Appropriations accompanying this Act, $120,500,000, to remain available until such time as the funds are expended.

HAZARDOUS SUBSTANCES SUPPLEMENTAL FUNDS

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs, $1,123,835,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions of the Omnibus Reauthorization Act of 1986, $75,000 per project, to remain available until expended.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by the Comprehensive Environmental Response, Compensation, and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $272,888,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency’s responsibilities under the Oil Pollution Act of 1990, $10,581,000, 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 partnerships, $3,929,639,000, to remain available until expended.

CIVIL ENGINEERING, CONSTRUCTION, AND RELATED ACTIVITIES

For expenses necessary to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (the “Act”); $857,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in the Act, or in previous appropriations Acts, shall be reserved for the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, unless that government has established an enforceable local ordinance, or other zoning rule, that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in the Act, or in previous appropriations Acts, shall be reserved for the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, that government has established an enforceable local ordinance, or other zoning rule, that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in the Act, or in previous appropriations Acts, shall be reserved for the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, unless that government has established an enforceable local ordinance, or other zoning rule, that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in the Act, or in previous appropriations Acts, shall be reserved for the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, unless that government has established an enforceable local ordinance, or other zoning rule, that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in the Act, or in previous appropriations Acts, shall be reserved for the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, unless that government has established an enforceable local ordinance, or other zoning rule, and other critical infrastructure needs of the colonias in the United States along the United States-Mexico Border shall be made available to a county government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development of any additional colonias, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

The referenced statement of the managers making此种更改的目的是为了确保资金的合理分配，使殖民地地区的水和污水基础设施得到改进，同时确保殖民地的发展不会影响到新建的住宅、商业或其他结构的供水、排水能力。
For fiscal year 2003, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out his functions to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to Indian Tribes or Intergovernmental consortia, if authorized by their member Tribes, to assist the Administrator in implementing 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.

For appropriated or otherwise made available by this Act may be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as published on June 9, 1999, in the Federal Register (64 Fed. Reg. pages 31940 through 31950).

The Environmental Protection Agency shall promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees no later than September 30, 2003.

Any final regulation promulgated to implement changes in the payment of pesticide tolerance processing fees 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 Code of Federal Regulations Subpart U (sections 152.400 et seq.) if its authority to collect maintenance fees pursuant to FRA section 40105 is extended for at least 1 year beyond September 30, 2002.

For necessary expenses, not otherwise provided for, for the Office of the Inspector General: Provided, That notwithstanding any other provision of law, the Inspector General of the Federal Emergency Management Agency shall hereafter also serve as the Inspector General of the Chemical Safety and Hazard Investigation Board.

For emergency expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, not to exceed $3,293,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $77,666,000 for flood mitigation, to remain available until expended.

For emergency expenses, not otherwise provided for, to carry out activities under the Tornado Disaster Relief and Assistance Act of 1974, as amended, not to exceed $2,900,000 for operating expenses, to remain available until expended.

For necessary expenses, not otherwise provided for, to carry out the Federal Emergency Management Act of 1978, as amended, not to exceed $10,000,000 for operating expenses, to remain available until expended.

For necessary expenses, not otherwise provided for, to carry out provisions of the Meals on Wheels Act of 1966 (42 U.S.C. 3004 et seq.), not to exceed $35,000,000 for fiscal year 2003, and which amounts shall be derived from deposits of fees collected under provisions of the Tariff Act of 1930.

For necessary expenses, not otherwise provided for, to carry out provisions of the Emergency Food and Shelter Program Act of 1981, as amended, not to exceed $30,000,000 for fiscal year 2003, and which amounts shall be derived from deposits of fees collected under provisions of the Tariff Act of 1930.
Section 1309(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 hereby amended by striking “December 31, 2002” and inserting “December 31, 2007”. 

Section 1366(a) of the Act, as amended (42 U.S.C. 4056), is hereby amended by striking “December 31, 2002” and inserting “December 31, 2007”.

Section 1367(c) of the Act, as amended (42 U.S.C. 4127(c)), is hereby amended by striking “December 31, 2002” and inserting “December 31, 2007”. 

The amendments will be deemed effective on January 1, 2003.

**NATIONAL FLOOD MITIGATION FUND**

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding sections 1306(b)(3)(B)–(C) and 1366(f) of the Federal 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 damage to structures underwriting or reinsuring Federal Flood Insurance policies, $20,000,000 shall be derived from the National Flood Insurance Fund.

**GENERAL SERVICES ADMINISTRATION**

FEDERAL CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Federal Consumer Information Center Fund authorized by 5 U.S.C. 3109, $12,541,000, to be deposited into the Federal Consumer Information Center Fund: Provided, That the appropriated costs and collections deposited into the Fund shall be Available for necessary expenses of Federal Consumer Information Center activities in the aggregate amount of $18,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2003 in excess of $18,000,000 shall remain in the Fund available for expense except as authorized in appropriations Acts.

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

HUMAN SPACE FLIGHT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities; construction of new facilities and additions to existing facilities; facility planning and design; environmental compliance and associated costs; development and associated costs; development and acquisition of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and testing, and associated costs, including uniform or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $30,000,000, to remain available until September 30, 2004, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; and other administrative services may be transferred to “Human space flight” in accordance with section 3109 of the National Aeronautics and Space Act of 1958, as amended by Public Law 106-377.

**OFFICE OF INSPECTOR GENERAL**

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $26,600,000.

**ADMINISTRATIVE PROVISIONS**

Notwithstanding the limitation on the availability of funds for “Space flight”, “Science, aeronautics and technology” by this appropriations Act, when any activity has been initiated by the issuance of an obligation for construction of facilities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and construction of facilities, and institutional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for “Human space flight”, or “Science, aeronautics and technology” by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until expended. Activities and obligations for construction of facilities as authorized by law shall remain available until expended.

Notwithstanding the limitation on the availability of funds appropriated for “Office of Inspector General”, amounts made available by this Act for grants and contracts for services as authorized by the National Aeronautics and Space Administration shall remain available until September 30, 2003 and may be used to enter into contracts and obligations for services, including uniform or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $30,000,000, to remain available until September 30, 2004, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; and other administrative services may be transferred to “Human space flight” in accordance with section 3109 of the National Aeronautics and Space Act of 1958, as amended by Public Law 106-377.

**NATIONAL CREDIT UNION ADMINISTRATION**

CENTRAL LIQUIDITY FACILITY

During fiscal year 2003, purchases of securities of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1796 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 $399,000.

**COMMUNITY DEVELOPMENT REVOLVING LOAN FUND**

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 5182, 5182a and 5191A, $1,000,000 shall be available: Provided, That $750,000,000 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 National Medal of Science (42 U.S.C. 1869–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft and related travel: $4,081,650,000, of which not to exceed $320,000,000 shall remain available until expended for flight research and development operations; and for research and development of other Federal agencies in operational andensch service support and logistical and other related activities for the United States Antarctic program: the balance to remain available until expended September 30, 2004: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported activities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for inclusion in the amounts, including ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionately.

**MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION**

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment and facilities and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $59,280,000, to remain available until expended.

**EDUCATION AND HUMAN RESOURCES**

**SALARIES AND EXPENSES**

For salaries and expenses necessary in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish the National Medal of Science (42 U.S.C. 1869–1881); services as authorized by 5 U.S.C. 3109; rental of conference rooms in the District of Columbia, $932,730,000, to remain available until September 30, 2004: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

**OFFICE OF THE NATIONAL SCIENCE BOARD**

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official representation expenses; purchase of uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $188,000,000, to be derived from the National Science Foundation Fund: Provided, That such appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.
experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1865) and Public Law 86–299 and the pay for such services, or to meet the expenses for which such expenditure is being made; or

(b) the expenditure of funds pursuant to such certification, or a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law.

SEC. 404. None of the funds provided in this Act to any department or agency may be obligated or expended for: (1) the transportation of any officer or employee of 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 authorized by the National Aeronautics and Space Administration, or provided by Public Law 103–182, or section 107 or section 108 of 5 U.S.C. 7903 or (2) to provide a cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 405. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients 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. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 407. None of the funds provided in this Act may be used to pay the expenses of, or otherwise compensate, any officer or employee authorized by law to lobby or litigate in respect to adjudicatory proceedings. Nothing herein affects the authority of the Federal Government or in litigation under existing law.

SEC. 408. Except as otherwise provided under existing law, or under 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 contract specifically authorized for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available; and of all contracts on which performance has not been completed by such date. 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 the funds contained in this Act shall be obligated or expended by any executive agency, or as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for the payment of any such executive agency: (1) a contract specifically authorized for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available; and of all contracts on which performance has not been completed by such date. 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. 410. Except as otherwise provided by law, no part of the funds contained in this Act shall be obligated or expended by any executive agency: (1) a contract specifically authorized for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available; and of all contracts on which performance has not been completed by such date. 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. 411. 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. 412. None of the funds appropriated in this Act may be used to provide a pay, or to provide reimbursement to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

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, when it is made known to the Federal entity or official to which the funds are made available that the purpose or activity, or any part thereof, is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 415. Except in the case of entities that are exempt from registration under the National Travel and Tourism Office Act, as defined in section 212 of title 15, United States Code, nothing in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties to lobby or litigate in respect to adjudicatory proceedings funded in this Act. A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation under existing law.

SEC. 416. None of the 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, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication or film or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 417. All Department and agency entities funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” tools 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 and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 7901–7902; 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 expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 420. Notwithstanding 42 U.S.C. 5196c, amounts provided in Public Law 107–117 and subsequent appropriations Acts for the construction of emergency operations centers (or similar facilities) shall only require a 25 percent match non-Federal share.

SEC. 421. Subsection (b) of section 32 of the Federal Emergency Management Act of 1974 (15 U.S.C. 2259) is amended by adding at the end the following new paragraph (12):
“(12) ELIGIBLE GRANTEE ON BEHALF OF ALASKA NATIVE VILLAGES.—The Alaska Village Initiative, a non-profit organization incorporated in the State of Alaska, shall be considered an eligible grantee of receiving funds under this section on behalf of Alaska Native villages.”.

SEC. 42. The Director of the Department of Homeland Security is authorized to acquire fee title to up to 178.5 acres of undeveloped property on the North and West sides of Virginia Routes 601 and 603 in Clarke County and Loudoun County, Virginia, adjacent to a Federal Emergency Management Agency facility in Clarke County and Loudoun County, Virginia.

SEC. 43. Appropriations previously appropriated under the heading “Emergency Response Fund” in Public Law 107–038, $90,000,000 shall be made available, until expended, for the Federal Emergency Management Agency to administer basic and full-scale screening and clinical examinations and long-term health monitoring and analysis for emergency services personnel and rescue and recovery personnel, of which not less than $25,000,000 shall be made available for such services for current and retired firefighters.

SEC. 221 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a) is amended by—

(2) by renumbering paragraph (7) as paragraph (8) in subsection (a);

(3) by adding at the end of subsection (a) the following new paragraph:

“(7) a qualified alien described in 8 U.S.C. 1641, or;

(4) in subsection (c)(1)(A), by striking “paragraphs (1) through (6)” and inserting “paragraphs (1) through (7)”;

(5) in subsection (c)(2)(A), by inserting “other than the designated University described in 8 U.S.C. 1641(c)” after “any alien”.

This division may be cited as the “Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2003”.

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) and inserting in lieu thereof the following:

“(a) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, shall operate extramural research, development, demonstration, testing, and evaluation programs as set forth in this Act.

(b) EXTRAMURAL PROGRAMS.—

“(1) in general.—The Secretary, acting through the Under Secretary for Science and Technology, shall operate extramural research, development, demonstration, testing, and evaluation programs as set forth in this Act.

(2) OUTLINES.—The Secretary, acting through the Under Secretary for Science and Technology, shall operate extramural research, development, demonstration, testing, and evaluation programs as set forth in this Act.

(3) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, shall operate extramural research, development, demonstration, testing, and evaluation programs as set forth in this Act.

(c) STRATEGIES.—The Secretary, acting through the Under Secretary for Science and Technology, shall operate extramural research, development, demonstration, testing, and evaluation programs as set forth in this Act.

(d) CONSIDERATION.—The Secretary, acting through the Under Secretary for Science and Technology, shall operate extramural research, development, demonstration, testing, and evaluation programs as set forth in this Act.

(e) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, shall operate extramural research, development, demonstration, testing, and evaluation programs as set forth in this Act.

(4) in subsection 232(f), by striking the period “.” at the end of the sentence and inserting: “: Provided, That any such transfer or provision of funding shall be carried out in accordance with section 605 of Public Law 107–77.”;

(5) in subsection 727(b)—

(A) by inserting “Except as authorized by section 5401(c) of the Homeland Security Act of 2002 (Public Law 107–296) and section 53 of title 14, United States Code,” before the word “Gifts” in the second place it appears; and

(B) by striking the letter “G” and inserting in lieu thereof “gift” in the second place it appears;

(6) in subsection 1511(e)(2), by striking the word “appropriate” as so inserted and inserting: “and to any funds provided for the”;

(7) in section 424. Section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 3514) is amended by—

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this Act.

(d) IMPLICATIONS.—Nothing in this Act shall be construed to impair the authority of the Secretary of the Treasury to carry out the responsibilities of such Secretary under this Act.

(e) IN GENERAL.—Nothing in the Homeland Security Act of 2002 shall be construed to impair the authority of the Secretary of the Treasury to carry out the responsibilities of such Secretary under this Act.

(2) by inserting “: Provided, That any such transfer or provision of funding shall be carried out in accordance with section 605 of Public Law 107–77.”;

(3) in subsection 873(b)—

(A) by inserting “Except as authorized by section 5401(c) of the Homeland Security Act of 2002 (Public Law 107–296) and section 53 of title 14, United States Code,” before the word “Gifts” in the second place it appears; and

(B) by striking the letter “G” and inserting in lieu thereof “gift” in the second place it appears;

(4) in subsection 1511(e)(2), by striking the word “appropriate” as so inserted and inserting: “and to any funds provided for the”;

(5) in section 3 of the Act, by adding the following new section:

“SEC. 714. Notwithstanding any other provision of this Act, any report, notification, or consultation addressing directly or indirectly the use of appropriated funds and stipulated by this Act to be submitted to, or held with, the Committee on Appropriations of the Senate and the House of Representatives under the same conditions and with the same restrictions as stipulated by this Act.”.

SEC. 104. CONTRACTS WITH CORPORATE ENTITIES.—

(1) in subsection 435 of the Homeland Security Act of 2002 (Public Law 107–296) is amended by striking subsection (d) and inserting the following:

“(d) WAIVERS.—The President may waive subsection (a) with respect to any contract if the President certifies to Congress that the waiver is essential to the national security.”.

(2) in subsection 435 of the Homeland Security Act of 2002 (Public Law 107–296) is amended by striking subsection (d) and inserting the following:

“(d) WAIVERS.—The President may waive subsection (a) with respect to any contract if the President certifies to Congress that the waiver is essential to the national security.”.

(3) Expanded coverage of entities.—

(4) Expanded coverage of entities.—

(5) Expanded coverage of entities.—

(6) Expanded coverage of entities.—

(7) Expanded coverage of entities.—

(8) Expanded coverage of entities.—
superseded, terminated, set aside, or revoked. Pending civil actions shall not be affected by such transfer of functions.

SEC. 106. RESTORATION OF PROVISION REGARDING FUND TO COVER THE FULL COSTS OF ALL JUDICIARY SERVICES. The Homeland Security Act of 2002 is amended by striking section 457, including the amendment made by such section.

SEC. 107. Transfers of funds: Provided, That the amounts transferred shall be made available for the same purpose as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: Provided further, That the amounts shall be transferred between the following appropriations in the amount specified:

<table>
<thead>
<tr>
<th>Transfer Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under the heading, “Procurement, Defense-Wide, 2003/2004”, $47,000,000; and</td>
<td></td>
</tr>
<tr>
<td>“Procurement, Defense-Wide 2002/2004”</td>
<td>$30,000,000;</td>
</tr>
<tr>
<td>From: Under the heading “Procurement of Weapons and Tracked Combat Vehicles, Army 2002/2004”, $5,000,000;</td>
<td></td>
</tr>
<tr>
<td>“Procurement of Weapons and Tracked Combat Vehicles, Army 2002/2004”</td>
<td>$10,100,000;</td>
</tr>
<tr>
<td>“Research, Development, Test and Evaluation, Army, 2002/2003”, $5,000,000;</td>
<td></td>
</tr>
<tr>
<td>“Research, Development, Test and Evaluation, Army, 2003/2004”; $60,000,000; and</td>
<td></td>
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</tbody>
</table>

SEC. 108. Notwithstanding any other provision of law, from funds made available to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide” in the Department of Defense Appropriations Act, 2003 (Public Law 107–248), the Secretary of Defense shall award a grant in the amount of $1,000,000 to the City of Las Vegas, Nevada, for the Queer Creek Mine disaster recovery efforts.

SEC. 109. In addition to amounts appropriated in Public Law 107–248 there are hereby appropriated the following amounts for the following accounts:

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Operation and Maintenance, Army”, $133,947,000;</td>
<td></td>
</tr>
<tr>
<td>“Operation and Maintenance, Navy”, $35,013,000;</td>
<td></td>
</tr>
<tr>
<td>“Operation and Maintenance, Air Force”</td>
<td>$80,158,000;</td>
</tr>
<tr>
<td>“Operation and Maintenance, Defense-Wide”</td>
<td>$418,297,000;</td>
</tr>
<tr>
<td>“Other Procurement, Air Force”, $2,977,841,000;</td>
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</tr>
<tr>
<td>“Procurement, Defense-Wide”, $32,975,000;</td>
<td></td>
</tr>
<tr>
<td>“Research, Development, Test and Evaluation, Navy”, $2,000,000;</td>
<td></td>
</tr>
<tr>
<td>“Research, Development, Test and Evaluation, Defense-Wide”, $2,000,000;</td>
<td></td>
</tr>
<tr>
<td>“Research, Development, Test and Evaluation, Army”, $133,900,000;</td>
<td></td>
</tr>
<tr>
<td>“Procurement, Defense-Wide”, $13,900,000;</td>
<td></td>
</tr>
</tbody>
</table>

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 for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 111. LIMITATION ON USE OF FUNDS FOR RESEARCH AND DEVELOPMENT ON TOTAL INFORMATION AWARENESS PROGRAM.—Notwithstanding any other provision of law, in any case in which the enactment of this Act, no funds appropriated or otherwise made available to the Department of Defense, whether to an element of the Defense Advanced Research Projects Agency or any other element, or to any other agency, or element of the Federal Government, may be obligated or expended on research and development on the Total Information Awareness program unless—

1. The report described in subsection (b) is submitted to Congress not later than 60 days after the date of the enactment of this Act; or
2. The President certifies to Congress in writing, that—

A. The submittal of the report to Congress within 60 days after the date of the enactment of this Act;

B. The cessation of research and development on the Total Information Awareness program would endanger the national security of the United States;

C. The report described in this subsection is a report, in writing, of the Secretary of Defense, the Attorney General, and the Director of Central Intelligence, acting jointly, that—

1. contains—

A. A detailed explanation of the actual and intended use of funds for each project and activity of the Total Information Awareness program, including an expenditure plan for the use of such funds;

B. A schedule for proposed research and development on each project and activity of the Total Information Awareness program; and

C. Target dates for the deployment of each project and activity of the Total Information Awareness program;

2. Assesses the likely efficacy of systems such as the Total Information Awareness program in providing practically valuable predictive assessments of the plans, intentions, or capabilities of terrorists or terrorist groups;

3. Assesses the likely impact of the implementation of a system such as the Total Information Awareness program on privacy and civil liberties; and

4. Sets forth a list of the laws and regulations that govern the information to be collected by the Total Information Awareness program, and a description of any modifications of such laws required to use the information in the manner proposed under such program;

5. Includes recommendations, endorsed by the Attorney General, for practices, procedures, regulations, or legislation that are necessary to protect the confidentiality, implementation, or use of the Total Information Awareness program to eliminate or minimize adverse effects of such program on privacy and civil liberties.

D. LIMITATION ON DEPLOYMENT OF TOTAL INFORMATION AWARENESS PROGRAM.—(1) Notwithstanding any other provision of law and except as provided in paragraph (2), if and when research and development on the Total Information Awareness program, or any component of such program, permits the deployment or implementation of such program, no department, agency, or element of the Federal Government may deploy or implement such program or component, or transfer such program or component to another department, agency, or element of the Federal Government, until the Secretary of Defense—

1. Notifies Congress of that development, including a specific and detailed description of—

A. Each element of such program or component intended to be deployed or implemented; and

B. The method and scope of the intended deployment or implementation of such program or component (including the data or information to be collected or used); and

2. Has received specific authorization by law from Congress for the deployment or implementation of such program or component, including—

A. A specific authorization by law for the deployment or implementation of such program or component; and

B. A specific authorization by law of funds for the deployment or implementation of such program or component.

E. The limitation in paragraph (1) shall not apply to research and development on the Total Information Awareness program, or a component of such program, in support of the following:

1. Lawful military operations of the United States conducted outside the United States.

2. Lawful foreign intelligence activities conducted wholly overseas, or wholly against non–United States persons.

F. CONGRESS.—It is the sense of Congress that—

1. The Total Information Awareness program should not be used to develop technologies for use in conducting intelligence activities or law enforcement activities against United States persons or groups; and

2. Congress or without clear adherence to principles to protect civil liberties and privacy; and
(2) The primary purpose of the Defense Advanced Research Projects Agency is to support the lawful activities of the Department of Defense and the national security programs conducted pursuant to the Atomic Energy Act of 1954, as amended for codification purposes in title 50, United States Code.

(e) DEFINITIONS.—In this section:

(1) TOTAL INFORMATION AWARENESS PROGRAM.—The term "Total Information Awareness program"—

(A) means the computer hardware and software components of the program known as Total Information Awareness, any related information awareness program, or any successor program under the Defense Advanced Research Projects Agency or another element of the Department of Defense to any other department, agency, or element of the Federal Government.

(2) NON-UNITED STATES PERSON.—The term "non-United States person" means any person other than a United States person.

(3) UNITED STATES PERSON.—The term "United States person" has the meaning given that term in section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(i)).

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 INDEMNIFICATION AUTHORITY.

(a) INDEMNIFICATION OF NUCLEAR REGULATORY COMMISSION LICENSEES.—Section 170 c.

(b) INDEMNIFICATION OF DEPARTMENT OF ENERGY CONTRACTORS.—Section 170 d.

(c) INDEMNIFICATION OF NONPROFIT EDUCATIONAL INSTITUTIONS.—Section 170 k.

(d) INDEMNIFICATION OF LABORATORY COMMISSION LICENSEES.—Section 170 c.

(e) INDEMNIFICATION OF NON-UNITED STATES PERSON.—Section 170 c.

(f) LIABILITY LIMIT.—Section 170 e.

(g) EFFECTIVE DATE.—The indemnification authority extended by this section applies 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) by redesignating paragraph (1) as 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 such liability above the amount of the financial protection required, in the amount of $10,000,000,000 (subject to adjustment for inflation under subsection (b)), or in the aggregate, for all persons indemnified in connection with the contract and for each nuclear incident, including such legal costs of the contractor as are approved by the Secretary.

(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 (b))."

(3) UNITED STATES PERSON.—The term "United States person" has the meaning given that term in section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(i)).

DIVISION III—MIGRATION RELIEF AND OFFSETS

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:

TITLES III—OFFENSES AND OFFENSIVE WEAPONS

SEC. 301. SHORT TITLE. This title may be cited as the "Agricultural Assistance Act of 2003".

SEC. 302. DEFINITIONS.

In this title:

(1) COVERED COMMODITY.—The term "covered commodity" has the meaning given the term in section 101(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901).

(2) DISASTER COUNTY.—The term "disaster county" means a county included in the geographic area covered by a qualifying natural disaster declaration, excluding a contiguous county.

(3) ELIGIBLE NONINSURABLE COMMODITY.—The term "eligible noninsurable 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).

(4) INSURABLE COMMODITY.—The term "insurable commodity" means an agricultural commodity (excluding livestock) produced in an area that is eligible for coverage under a policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 502 et seq.).

(5) QUALIFYING NATURAL DISASTER DECLARATION.—The term "qualifying natural disaster declaration" means—

(A) a natural disaster declared by the Secretary under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1901(a)); or

(B) a major disaster or emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(6) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.
SEC. 203. SUPPLEMENTAL DIRECT PAYMENTS.

(a) IN GENERAL.—The Secretary shall make payments to producers on a farm if—

(1) the farm is located in a disaster county declared during calendar year 2001 or 2002;

(2) the producers on the farm have incurred qualifying crop losses with respect to the 2001 or 2002 crop of a covered commodity or peanuts due to drought-related conditions determined by the Secretary using the same loss thresholds for the quantity and quality losses as were used in administering section 813 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.); and

(b) AMOUNT.—The amount of the payment made to the producers on a farm under this section shall be equal to 42 percent of the amount of the direct payment the producers on the farm are eligible to receive for the 2002 crop under sections 1103 and 1303, respectively, of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913, 7933).

SEC. 204. LIVESTOCK ASSISTANCE.

(a) LIVESTOCK ASSISTANCE PROGRAM.—Subject to subsection (c), in carrying out the 2002 Livestock Assistance Program established by the Secretary on October 10, 2002 (67 Fed. Reg. 63070), the Secretary shall—

(1) provide assistance to any applicant that—

(A) requests a livestock operation that is physically located in a county that requested a declaration as a disaster county during the period beginning on January 1, 2001, and ending on the date of enactment of this Act; and

(B) meets all other eligibility requirements established by the Secretary for the Program;

(2) provide assistance to producers of an animal described in section 10906(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 2516(a)(1)) that meet all other eligibility requirements established by the Secretary for the Program; and

(3) effective beginning on the date of enactment of this Act, carry out the Program using funds appropriated to the Commodity Credit Corporation.

(b) LIVESTOCK LOSS ASSISTANCE PROGRAM.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (c), the Secretary shall use funds of the Commodity Credit Corporation to establish a program under which payments for livestock losses are made using the criteria established to carry out the 1999 Livestock Indemnity Program for losses in a disaster county declared during calendar year 2001 or 2002.

(2) CHOICE OF PAYMENTS.—If the farm of the producers is located in a disaster county declared during each of calendar years 2001 and 2002, the producers on the farm may elect to receive payments under this subsection for losses associated with the qualifying natural disaster declaration in either calendar year 2001 or calendar year 2002, but not both.

(c) RELATIONSHIP OF LIVESTOCK ASSISTANCE PROGRAMS.—

(1) DEFINITION OF LIVESTOCK ASSISTANCE PROGRAM.—In this subsection, the term "livestock assistance program" means—

(A) the 2002 Cattle Feed Program announced by the Secretary on September 3, 2002 (67 Fed. Reg. 56260);

(B) the 2002 Livestock Compensation Program, as announced by the Secretary on October 10, 2002 (67 Fed. Reg. 63070) and modified in accordance with subsection (a); and

(C) the livestock assistance program established under subsection (b).

(2) PAYMENTS.—The amount of assistance that the producers on a farm would otherwise receive for a loss or losses not covered by the livestock loss assistance program under subsection (b) shall be reduced by the amount of the assistance that the producers receive under any other livestock assistance program.

SEC. 205. EMERGENCY SURPLUS REMOVAL.

The Secretary shall transfer $250,000,000 of funds of the Commodity Credit Corporation to the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to carry out emergency surplus removal of agricultural commodities.

SEC. 206. SPECIALTY CROPS.

The Secretary shall use $100,000,000 of funds of the Commodity Credit Corporation to provide emergency assistance to producers directly or through grants to States, or take such other action as the Secretary deems appropriate, to assist producers of fruits and vegetables (including nuts).

SEC. 207. TOBACCO PAYMENTS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PERSON.—The term "eligible person" means a person that—

(A) owns a farm for which, irrespective of the applicable payment or allotment for the 2002 crop year, taking into account temporary transfers or undermarketings, a basic tobacco is marketed, could have been marketed, or can be marketed under the quota established for the 2002 crop year under part I of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2002 crop year; and

(B) in the case of each kind of eligible tobacco other than Flue-cured tobacco (types 11, 12, 13, and 14) and Burley tobacco (type 31), individual allotments shall be converted to poundage payment quantities by multiplying—

(A) the number of acres that may, irrespective of temporary transfers or undermarketings, be devoted, without penalty, to the production of the kind of tobacco under the allotment under part I of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2002 crop year; by

(B) the number of pounds of effective poundage quota of the kind of tobacco, including temporary transfers or undermarketings, a basic tobacco under subsection (b) shall not exceed the amount obtained by multiplying—

(1) the number of pounds per acre.

(b) PAYMENTS.—The amount of payments made to a person under this section for 1 or more covered commodities, and the total amount of payments made to a person under this section for peanuts, shall not exceed the dollar amounts that are specified in paragraphs (1) and (2) of section 32 of the Act of August 24, 1935 (7 U.S.C. 1313(b)); and

(1) IN GENERAL.—Payments available with respect to a pound of payment quantity, as determined by the Secretary, are eligible to receive for the 2002 crop under part I of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2002 crop year.

(c) AVAILABLE PAYMENT AMOUNTS.—The available payment amount for each kind of eligible tobacco under subsection (b) shall not exceed the amount obtained by multiplying—

(1) 1.746 pounds per acre; and

(2) the applicable payment quantity for the kind of tobacco, as determined by the Secretary.

(d) DIVISION OF PAYMENTS AMONG ELIGIBLE PERSONS.—

(1) IN GENERAL.—Payments available with respect to a pound of payment quantity, as determined under subsection (d), shall be made available to eligible persons in accordance with this paragraph, as determined by the Secretary.

(2) FLUE-CURED AND CIGAR TOBACCO.—In the case of payments made available in a State
under subsection (b) for Flue-cured tobacco (types 11, 12, 13, and 14) and cigar-filter and cigar-binder tobacco (types 42, 43, 44, 54, and 55), the Secretary shall distribute (as determined by the Secretary of Agriculture in the case of sections 201, 204(b)(6) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1331d) and the 2002 Conservation Reserve Program) $77,000,000 shall be transferred to the State and $143,000,000 shall be transferred to the Land Acquisition Fund. $30,000,000 shall be transferred to the National Wildlife Refuge System Restoration Account, $636,000,000, more than $70,000,000 of funds of the Commodity Credit Corporation to cover administrative costs of this title shall be transferred to the Salvage Sale fund, to remain available until expended.

SEC. 216. REGULATIONS.
(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) ADMINISTRATION.—The Secretary, acting through the Farm Service Agency, may use not more than $70,000,000 of funds of the Commodity Credit Corporation to cover administrative costs of this title and title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901 et seq.), to remain available until expended.
‘‘(5) CONVERSION FACTOR FOR 2003.—

‘‘(A) IN GENERAL.—Notwithstanding para-
graph (4), the conversion factor established un-
der this subsection for services furnished dur-
ing the period beginning on April 1, 2003, and end-
ing on September 30, 2003, shall be equal to the con-
version factor established under this sub-
section for 2002.’’

‘‘(B) NO EFFECT FOR SUBSEQUENT PERIODS.—
The conversion factor under paragraph (1) and the update adjustment factor under paragraph (4)(B) for the period of 2003 occurring after September 30, 2003, and for a year after 2003 shall be applied and computed as if subparagraph (A) had not been in effect.

(C) CONFORMING PROVISIONS TO ENSURE NO EFFECT FOR SUBSEQUENT PERIODS.—In carrying out subparagraph (B),—

(i) for purposes of making payments under paragraph (4)(C)(iii) for the period of 2003 occurring after September 30, 2003, and before January 1, 2004, and for years after 2003 shall be applied and computed as if subparagraph (A) had not been in effect,

(ii) the portion of such expenditures in 2002 that are attributable to the increase in the conversion factor under subparagraph (A),

(iii) not treated as change in law and regulated in sustainable growth rate de-
termination.—The enactment of this para-
graph shall not be treated as a change in law for purposes of applying subsection (f)(2)(D).

(b) REMOVAL OF ADDITIONAL EXPENDITURES Subject to paragraph (5)(B) and (5)(C) after ‘‘subpara-
graph after paragraph (5)’’ after ‘‘with 2001’’;

‘‘(i) the actual expenditures otherwise deter-
minal for 2003, reduced by

‘‘(ii) the portion of such expenditures in 2002 that are attributable to the increase in the conversion factor under subparagraph (A).

‘‘(iii) not treated as change in law and regulated in sustainable growth rate de-
termination.—The enactment of this para-
graph shall not be treated as a change in law for purposes of applying subsection (f)(2)(D).

(c) TERMINATION.—The enactment of this para-
graph shall not be treated as a change in law for purposes of applying subsection (f)(2)(D). A

(d) B LUE CRAB FISHERY.—$5,000,000 shall be made available as a direct lump sum payment to the State of Hawaii for each fiscal year, if expenditures are offset by fed-
eral closures or fishing restrictions and $25,000,000 shall be made available as a direct lump sum payment to the State of Alaska no later than 30 days after the date of enactment of this Act to make payments to persons or entities which have experienced significant economic hardship. Funds in Alaska shall be used to pro-
vide (A) personal assistance with priority given to food, energy needs, housing assistance, trans-
portation fuel, and other urgent needs; (B) assistance for small businesses including fishermen, fish processors, and related businesses serving the fishing indu-
stry; (C) domestic product marketing and seafood promotion; and (D) state seafood testing programs: Provided further, That the Secretary of Commerce, in consultation with the Com-
mandant of the Coast Guard, shall provide co-
operative agreements to enhance support for fisheries monitoring and enforcement through use of remote sensing, aircraft and communica-
tions assets, with particular emphasis on federal wireless spectrum (if available) of the Caroli-
na and Georgia, including the Charleston Bump closed area.

TITLE VI—OFFSETS

SEC. 601. (a) ACROSS-THE-BOARD RECUS-
SIONS.—There is hereby rescinded an amount equal to 1.6 percent of—

(1) the budget authority provided for fiscal year 2003 for any discretionary account in divi-
sions A through K of this joint resolution; and

(2) the budget authority provided in any ad-
verse act for fiscal year 2003 for any discretionary account in any appropriation Act.
EDUCATION

Mr. KENNEDY. Madam President, I welcome the fact that the leadership has given this time to express our strong views on a very important issue, the whole issue, the quality of education for the children of this country.

It was just about a year ago, Members—I see Senator REED of Rhode Island, Senator DODD from our committee—remember clearly this Nation came together, Republican and Democrat, to pass the No Child Left Behind Act, the gateway of opportunity, of progress, for academic achievement and accomplishment.

We all looked forward to smaller classes, better trained teachers, after-school programs. We looked forward to this with great hope and great anticipation. We looked forward to parental involvement so parents could understand how their children were learning in local schools, with greater accountability for students, for schools, for teachers and parents, and also for the Congress of the United States.

As we come to the time of the President of the United States speaking, if we listen carefully to what is happening in this country, we will hear we have failed in our understanding and commitment to education and the administration has failed in giving life to our promises in the form of resources to make sure those promises are kept.

Listen to what the Governor of Delaware, Ruth Ann Minner, said recently: Delaware has asked local school districts to return $10 million from current year budgets. The impact of those kinds of budget-cutting measures takes a tremendous toll in providing enough teachers to continue progress to reduce class size, which is so important to the quality of education. Federal programs, such as No Child Left Behind or IDEA, implemented without adequate Federal funding—no matter that we share the goal and the vision—represent an empty promise.

We have had debates here on whether we have provided the resources or not. Let’s listen to what is happening across the country.

In a Washington Post article today, it says Oregon today is on the verge of cutting 15 days, potentially 24 days, from its school year. The United States ranks 18th among the industrial nations in school year length. How can we expect American schoolchildren to learn in 180 days as much as Korean children learn in 220? And now Oregon may cut back to 165 days of the school year.

The New York Times reported on the impact on the children. Linda Patterson, a fourth grade teacher here uses her fingers to check off the lessons that she usually teaches but will skip. Her pupils will not study the metric system in the classroom, and in science, nor Oregon’s history and social studies. “I can only compare this to my divorce,” said the teacher.

More than 100 school districts in 8 States have moved to 4-day weeks to cut costs. Oklahoma City has cut bus service entirely for 1,000 students. In Barnstable, MA, they are charging an additional $200 for music education, $200 for busing, and $1,800 now for all-day kindergarten. In Centennial, MN, schools have upwards of 30 students per class. Class sizes have grown significantly in the last year. In Colton, OR, academic classes in the junior high have as many as 41 students per teacher. That’s not education; that’s crowd control.

I don’t fault these communities. They are in a bind. Local schools cannot meet the high standards on a tinycup budget.

I see my colleagues here. I think they would share with me the hope that tonight the President of the United States will make it clear that help is on its way to those families, to those teachers, to those parents; that we believe the investment in those children will make a real difference, in terms of our economy and in their ability to acquire skills. It will make a difference in terms of young people being able to make a difference for our society and for our democracy and for our leadership. This is something I hope on the one hand, he will explain why we have not been able to do it and, second, that he will have a change of mind and he will say—again, what I believe this President understands—what we have failed to follow through with, and that is that we are going to invest in our children and our children’s education.

I thank our colleagues who are here. I see my friends from Rhode Island and Connecticut. I know they want to say a word or two.

Mr. REED. Madam President, I rise to respond and echo the comments of Senator KENNEDY. A year ago, with much hope and great fanfare, we all looked at the signing of the No Child Left Behind Act as a positive step forward, a recognition that we could not simply sit back and let education in the United States continue on its then-current course.

We also hoped the great rhetoric would be matched with real resources. Sadly, those resources have not materialized. The President, only a few weeks after signing the bill, released his budget numbers for fiscal year 2003 which significantly reduced funding for the No Child Left Behind Act. In fact, the President’s budget contained the smallest increase overall for education funding in years. A small increase, but nothing commensurate with the kind of expectations that were generated by the No Child Left Behind Act.

We fear—that that same reality will be visited upon us this summer in the Senate. I have examined the Administration’s proposal and next week when the President releases this year’s budget. There will be no significant increase overall in education spending.

The President may point to an increase in title I that he has advertised, a $1 billion increase. That would raise title I funding to $12.3 billion. But let me remind all who are listening, that $12.3 billion is about $6 billion less than the authorized figure in the No Child Left Behind Act.

I can remember the discussions, the debate when we were urging a level of title I funding that would be adequate to deal with the challenges we have put on all the districts in this country, to be accountable and to perform at a level that is equal to the challenges of this new and very demanding world we face. So the title I money is an increase, but it is insignificant compared to the target we established, agreed on, and fought for in the No Child Left Behind Act.

Mr. KENNEDY. Will the Senator yield?

Mr. REED. I am happy to yield.

Mr. KENNEDY. Seeing the Senator from Connecticut here, does my friend from Rhode Island remember that we had a specific vote? I believe it was a vote on a Dodd-Collins amendment, and that amendment was voted down. We were joined, were we not, by Republicans and Democrats alike. Seventy-nine Senators voted for that full funding here on the floor of the Senate. Yet we were unable to get that kind of support from the administration. Republicans and Democrats alike. Seventy-nine Senators voted for that full funding, agreed on, and fought for in the No Child Left Behind Act.

Mr. KENNEDY. Will the Senator yield?

Mr. REED. I am happy to yield.

Mr. KENNEDY. Madam President, I want to say to the Senator. We were joined by practically every member of the Senate regardless of party and region. They believed, as we did, in the need for real resources, particularly for the title I program. What the President is proposing is more of a cosmetic increase in title I, rather than the kind of increase we need to do the job.

I was listening to Senator KENNEDY, my colleague from Massachusetts. He laid out the current dilemma of local school districts, where they are cutting class days, they are charging for transportation, they are charging for music education. That is in response to the current distressed economy. Don’t forget, school districts are now required to do much more, by the Federal Government, by the No Child Left Behind